

entered into front-end order entry systems of competing exchanges or sent to floor brokers on exchanges that offer higher rebates.¹⁰ The proposed rebate is comparable to or less than rebates offered on both the ISE and NASDAQ OMX PHLX in that it is being offered to Floor Brokers as an inducement that may allow them to competitively price their services offered to all participants.¹¹ To the extent that the rebate is successful in attracting additional order flow to the Exchange, all participants should benefit. As such the Exchange believes that the rebate is appropriate and reasonable.

The Exchange believes the proposal to increase the rebate from \$.03 per contract to a \$.07 per contract is equitable and not unfairly discriminatory because it would uniformly apply to all QCC orders entered by a Floor Broker for validation by the system and potential execution, excepting Customer-to-Customer QCC trades. The exclusion of Customer-to-Customer QCC trades from the Floor Broker rebate will remain.¹² Any participant will be able to engage a rebate-receiving Floor Broker in a discussion surrounding the appropriate level of fees that they may be charged for entrusting the entry of the QCC order to the Floor Broker into the Exchange systems for validation and execution. The additional order flow attracted by this increase in the rebate should benefit all participants. For this reason the Exchange feels the adoption of the proposed rebate increase is both equitable and not unfairly discriminatory.

For the reasons noted above, the Exchange believes that the proposed fees are fair, equitable and not unfairly discriminatory.

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

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

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

No written comments were solicited or received with respect to the proposed rule change.

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)¹³ of the Act and subparagraph (f)(2) of Rule 19b-4¹⁴ thereunder, because it establishes a due, fee, or other charge imposed by the NYSE Amex.

At any time within 60 days of the filing of such 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 email to rule-comments@sec.gov. Please include File Number SR-NYSEAmex-2012-05 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-NYSEAmex-2012-05. This file number should be included on the subject line if email 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 NW., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such 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-NYSEAmex-2012-05 and should be submitted on or before March 8, 2012.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Kevin M. O'Neill,
Deputy Secretary.

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DEPARTMENT OF STATE

[Public Notice 7801]

30-Day Notice of Proposed Information Collection: DS-86, Statement of Non-Receipt of a Passport

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Statement of Non-Receipt of a Passport.
- *OMB Control Number:* 1405-0146.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Consular Affairs, CA/PPT/PMO/PC.
- *Form Number:* DS-86.
- *Respondents:* Individuals who have not received the passport for which they originally applied.
- *Estimated Number of Respondents:* 12,755 per year.
- *Estimated Number of Responses:* 12,755 per year.
- *Average Hours per Response:* 5 min.
- *Total Estimated Burden:* 1,063 hours.
- *Frequency:* On Occasion.
- *Obligation to Respond:* Required to Obtain a Benefit.

DATES: Submit comments to the Office of Management and Budget (OMB) for up to 30 days from February 16, 2012.

¹⁰ See *supra* note 6.

¹¹ See *supra* note 7.

¹² See *supra* note 4.

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(f)(2).

¹⁵ 17 CFR 200.30-3(a)(12).

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- **Email:**

oira_submission@omb.eop.gov. You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

- **Fax:** 202-395-5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: You may obtain copies of the proposed information collection and supporting documents from Passport Services, Passport Forms Management and Officer, U.S. Department of State, Office of Program Management and Operational Support, 2201 C Street NW., Washington, DC 20520, who may be reached on 202-663-2457 or at *PPTFormsOfficer@state.gov*.

SUPPLEMENTARY INFORMATION: We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary to properly perform 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.

Abstract of Proposed Collection

This Statement of Non-Receipt is used by the U.S. Department of State to collect information for the purpose of issuing a replacement passport to customers who have not received the passport for which they originally applied.

Methodology

Passport applicants who do not receive their passports are required to complete a Statement of Non-Receipt of a Passport, Form DS-86. Passport applicants can either download the form from the Internet or pick one up from an Acceptance Facility/Passport Agency. The form must be completed, signed, and then submitted to the Acceptance Facility/Passport Agency for passport re-issuance.

Dated: February 7, 2012.

Barry J. Conway,

Managing Director for Support Operations, Passport Services, Department of State.

[FR Doc. 2012-3696 Filed 2-15-12; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 7800]

Thirty-Day Notice of Proposed Information Collection: DS-71, Affidavit of Identifying Witness

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

- **Title of Information Collection:** Affidavit of Identifying Witness.
- **OMB Control Number:** 1405-0088.
- **Type of Request:** Revision of a Currently Approved Collection.
- **Originating Office:** Bureau of Consular Affairs, CA/PPT/PMO/PC.
- **Form Number:** DS-71.
- **Respondents:** Individuals who are verifying identity of a passport applicant.
- **Estimated Number of Respondents:** 44,000 per year.
- **Estimated Number of Responses:** 44,000 per year.
- **Average Hours per Response:** 5 min.
- **Total Estimated Burden:** 3667 hours.
- **Frequency:** On Occasion.
- **Obligation to Respond:** Required to Obtain a Benefit.

DATES: Submit comments to the Office of Management and Budget (OMB) for up to 30 days from February 16, 2012.

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- **Email:**

oira_submission@omb.eop.gov. You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

- **Fax:** 202-395-5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: You may obtain copies of the proposed information collection and supporting documents from Passport Services, Passport Forms Management and Officer, U.S. Department of State, Office of Program Management and Operational Support, 2201 C Street NW., Washington, DC 20520, who may be reached on 202-663-2457 or at *PPTFormsOfficer@state.gov*.

SUPPLEMENTARY INFORMATION: We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary to properly perform 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,

Abstract of Proposed Collection

The Affidavit of Identifying Witness is submitted in conjunction with an application for a U.S. passport. It is used by Passport Services to collect information for the purpose of establishing the identity of the applicant. This application is completed by the identifying witness when the applicant is unable to establish his or her identity to the satisfaction of a person authorized to accept passport applications.

Methodology:

The Affidavit of Identifying Witness is submitted in conjunction with an application for a U.S. passport. Due to legislative mandates Form DS-0071 is only available at acceptance facilities and passport agencies. This form must be completed and signed in the presence of an authorized Passport Agent, Acceptance Agent, or Consular Officer.

Dated: February 7, 2012.

Barry J. Conway,

Managing Director for Support Operations, Passport Services, Department of State.

[FR Doc. 2012-3700 Filed 2-15-12; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF STATE

[Public Notice 7799]

Determination With Respect to Foreign Governments' Efforts Regarding Trafficking in Persons—Burma

Pursuant to section 110 of Trafficking Victims Protection Act of 2000 (Division A, Pub. L. 106-386), as amended (the "Act"), and the Presidential memorandum of delegation signed on February 3, 2012, I hereby determine, consistent with sections 110(d)(4) and 110(f) of the Act, that provision to the Government of Burma of all programs, projects, or activities of assistance described in sections 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States.

This determination shall be published in the **Federal Register**, and copies shall