

Issued in Kansas City, Missouri, on December 21, 2010.

**Earl Lawrence,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2010-32798 Filed 1-3-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0829; Directorate Identifier 2010-NE-23-AD; Amendment 39-16524; AD 2010-24-05]

**RIN 2120-AA64**

#### **Airworthiness Directives; Pratt & Whitney Canada Corp. (P&WC) PW305A and PW305B Turbofan Engines**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting an airworthiness directive (AD) that published in the **Federal Register**. That AD applies to the products listed above. The agency docket No. and the engine type in the subject heading and paragraph (c) in the Summary section and the Regulatory text are incorrect. This document corrects that error. In all other respects, the original document remains the same.

**DATES:** This final rule is effective January 3, 2011.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, 12 New England Executive Park, Burlington, MA 01803; phone: (781) 238-7176; fax: (781) 238-7199; e-mail: [james.lawrence@faa.gov](mailto:james.lawrence@faa.gov).

**SUPPLEMENTARY INFORMATION:** Airworthiness Directive 2010-24-05, amendment 39-16524 (75 FR 72653, November 26, 2010), currently requires

updating the airworthiness limitations section of the engine maintenance manuals for Pratt & Whitney Canada (P&WC) PW305A and PW305B turbofan engines.

As published, the agency docket No. in the Summary section and the engine type in the Summary section and in the Regulatory text are incorrect.

No other part of the preamble or regulatory information has been changed; therefore, only the changed portion of the final rule is being published in the **Federal Register**.

The effective date of this AD remains January 3, 2011.

#### **Correction of Non-Regulatory Text**

In the **Federal Register** of November 26, 2010, AD 2010-24-05; Amendment 39-16524 is corrected as follows:

On page 72653, in the third column, on line 19 under 14 CFR Part 39, change "Docket No. FAA-2010-0892" to "Docket No. FAA-2010-0829".

On page 72653, in the third column, on line 25 under 14 CFR Part 39, change "PW305A and PW305B Turboprop" to "PW305A and PW305B Turbofan".

#### **Correction of Regulatory Text**

##### **§ 39.13 [Corrected]**

■ In the **Federal Register** of November 26, 2010, on page 72655, in the first column, paragraph (c) of AD 2010-24-05 is corrected to read as follows:

\* \* \* \* \*

(c) This AD applies to Pratt & Whitney Canada Corp. (P&WC) PW305A and PW305B turbofan engines with certain impellers, part numbers (P/Ns) 30B2185, 30B2486, 30B2858-01, or 30B4565-01 installed. These engines are installed on, but not limited to, Hawker-Beech Corporation BAe.125 series 1000A, 1000B, and Hawker 1000 airplanes and Learjet Inc. Learjet 60 airplanes.

\* \* \* \* \*

Issued in Burlington, Massachusetts, on December 22, 2010.

**Peter A. White,**

*Assistant Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2010-33171 Filed 1-3-11; 8:45 am]

**BILLING CODE 4910-13-P**

## **SECURITIES AND EXCHANGE COMMISSION**

### **17 CFR Parts 275 and 279**

[Release No. IA-3129; File No. S7-10-00]

**RIN 3235-AI17**

#### **Amendments To Form ADV; Extension of Compliance Date**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; extension of compliance date.

**SUMMARY:** The Securities and Exchange Commission is extending the compliance date for Part 2B of Form ADV, the brochure supplement, and for certain rule provisions that relate to the delivery of brochure supplements. The Commission is extending the compliance date generally for four months to provide certain investment advisers additional time to design, test and implement systems and controls to satisfy their obligations to prepare and deliver brochure supplements.

**DATES:** The effective date for amendments to Part 2 of Form ADV and related rules under the Advisers Act remains October 12, 2010. The compliance date for Form ADV, Part 2B and the provisions of rule 204-3 concerning the delivery of brochure supplements is extended generally for four months as described in the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Vivien Liu, Senior Counsel, or Daniel Kahl, Branch Chief, at (202) 551-6787 or [IArules@sec.gov](mailto:IArules@sec.gov), Office of Investment Adviser Regulation, Division of Investment Management, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-8549.

**SUPPLEMENTARY INFORMATION:** On July 28, 2010, the Commission adopted amendments to Part 2 of Form ADV [17 CFR 279.1], and related rules under the Investment Advisers Act of 1940 [15 U.S.C. 80b] ("Advisers Act"),<sup>1</sup> to require registered investment advisers to provide clients with a brochure and brochure supplements written in plain English ("Adopting Release").<sup>2</sup> The brochure contains information about the advisory firm, whereas the brochure supplement contains information about the advisory personnel on whom clients rely for investment advice.

When we adopted amendments to Form ADV last July, we established two separate compliance dates for delivering brochure supplements. New investment adviser registrants, *i.e.*, those that apply for registration on or after January 1, 2011, would begin providing brochure supplements to clients upon registering. Existing investment adviser registrants would provide brochure supplements to new and prospective clients upon filing their annual updating amendment to

<sup>1</sup> See *e.g.*, rule 204-3 [17 CFR 275.204-3], which requires registered advisers to deliver brochures and brochure supplements.

<sup>2</sup> *Amendments to Form ADV*, Investment Advisers Act Rel. No. 3060 (July 28, 2010) [75 FR 49234 (Aug. 12, 2010)].

Form ADV for fiscal year ends beginning on December 31, 2010, and to existing clients within 60 days of filing the annual updating amendment. Most registered advisers have fiscal years ending on December 31 and must, as a result, file an annual updating amendment by March 31, 2011.<sup>3</sup> Absent an extension of the compliance date, these advisers would be required to deliver their first brochure supplements to new and prospective clients no later than March 31, 2011 and to existing clients no later than May 31, 2011.

We have received correspondence from the Securities Industry and Financial Markets Association ("SIFMA"), requesting that we delay the compliance date for at least an additional four months, until July 31, 2011, solely with respect to requirements regarding delivery of the brochure supplement.<sup>4</sup> SIFMA asserts that preparing and disseminating brochures with respect to thousands of supervised persons to tens of thousands of clients presents its members with substantial logistical challenges in meeting the compliance date. It asserts that its members need additional time to design, test and implement systems and controls that will assure that each client receives an accurate brochure supplement with respect to the supervised person who provides advice to that client.

Based on the concerns expressed in the correspondence, and in light of similar concerns that have been expressed by other investment advisers to our staff, we are persuaded that a limited extension of the compliance date for the delivery of brochure supplements for existing registered advisers is appropriate.<sup>5</sup> We have based this decision on the information SIFMA has provided and our experience in overseeing the industry. In addition, to provide consistent treatment for newly registering advisers, we are also persuaded that the limited extension of the compliance date for the delivery of brochure supplements is appropriate for these advisers as well. We are not extending the compliance date for the

filing and delivery of the brochure required by Part 2A of Form ADV and related rules under the Advisers Act, which is required for newly registering investment advisers beginning on January 1, 2011, and for existing registered advisers when they file their annual updating amendments for fiscal years ending on and after December 31, 2010.

Accordingly, the Commission believes it is appropriate to modify and extend the compliance date for brochure supplements for the following investment advisers:<sup>6</sup>

*Existing Registered Investment Advisers.* All investment advisers registered with the Commission as of December 31, 2010, and having a fiscal year ending on December 31, 2010 through April 30, 2011, have until July 31, 2011, to begin delivering brochure supplements to *new and prospective clients*. These advisers have until September 30, 2011 to deliver brochure supplements to *existing clients*. The compliance dates for delivering brochure supplements for existing registered investment advisers with fiscal years ending after April 30, 2011 remain unchanged.

*Newly-registered Investment Advisers.* All newly registered investment advisers filing their applications for registration from January 1, 2011 through April 30, 2011, have until May 1, 2011 to begin delivering brochure supplements to *new and prospective clients*. These advisers have until July 1, 2011 to deliver brochure supplements to *existing clients*. The compliance dates for delivering brochure supplements for newly-registered investment advisers filing applications for registration after April 30, 2011 remain unchanged.

The Commission finds that, for good cause and the reasons cited above, including the brief length of the extension we are granting, notice and solicitation of comment regarding the extension of the compliance date for Part 2B of Form ADV and the provisions of rule 204-3 that relate to the delivery of brochure supplements are impracticable, unnecessary, or contrary to the public interest.<sup>7</sup> In this regard, the

Commission also notes that investment advisers need to be informed as soon as possible of the extension and its length in order to plan and adjust their implementation process accordingly.

Dated: December 28, 2010.

By the Commission.

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

[FR Doc. 2010-33142 Filed 1-3-11; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 50

[Docket No. FDA-2009-N-0592]

RIN No. 0910-AG32

#### Informed Consent Elements

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the current informed consent regulations to require that informed consent documents and processes for applicable drug (including biological products) and device clinical trials include a specific statement that clinical trial information will be entered into a databank. The databank referred to in this final rule is the clinical trial registry databank maintained by the National Institutes of Health/National Library of Medicine (NIH/NLM) which was created by statute. The submission of clinical trial information to this data bank also is required by statute. This amendment to the informed consent regulations is required by the Food and Drug Administration Amendments Act of 2007 (FDAAA) and is designed to promote transparency of clinical research to participants and patients.

**DATES:** *Effective date:* This rule is effective March 7, 2011.

to the public interest," a rule "shall take effect at such time as the Federal agency promulgating the rule determines"). Also, because the Regulatory Flexibility Act (5 U.S.C. 601-612) only requires agencies to prepare analyses when the Administrative Procedures Act requires general notice of rulemaking, that Act does not apply to the actions that we are taking in this release. The change to the compliance date is effective upon publication in the **Federal Register**. This date is less than 30 days after publication in the **Federal Register**, in accordance with the APA, which allows effectiveness in less than 30 days after publication for "a substantive rule which grants or recognizes an exemption or relieves a restriction." See 5 U.S.C. 553(d)(1).

<sup>3</sup> Based on Investment Adviser Registration Depository data as of December 1, 2010, 92% of SEC-registered investment advisers report a December fiscal year end.

<sup>4</sup> Memorandum from Morgan Lewis on behalf of certain SIFMA member firms dated Dec. 16, 2010 available at <http://www.sec.gov/rules/proposed/s71000.shtml>.

<sup>5</sup> The North American Securities Administrators Association has recommended that the State securities authorities provide the same extension for State-registered investment advisers. However, State-registered advisers should contact the States where they are registered to confirm compliance dates.

<sup>6</sup> Advisers may choose to deliver brochure supplements earlier than the dates outlined in this release.

<sup>7</sup> See Section 553(b)(3)(B) of the Administrative Procedure Act (5 U.S.C. 553(b)(3)(B)) ("APA") (an agency may dispense with prior notice and comment when it finds, for good cause, that notice and comment are "impracticable, unnecessary, or contrary to the public interest"). This finding also satisfies the requirements of 5 U.S.C. 808(2), allowing the rules to become effective notwithstanding the requirement of 5 U.S.C. 801 (if a Federal agency finds that notice and public comment are "impractical, unnecessary or contrary