

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* State Agreements Program, as authorized by section 274(b) of the Atomic Energy Act.

3. *The form number if applicable:* Not applicable.

4. *How often the collection is required:* One time or as needed.

5. *Who will be required or asked to report:* Thirty-three Agreement States whose governors have signed section 274(b) Agreements with NRC.

6. *An estimate of the number of annual responses:* 138 responses.

7. *The estimated number of annual respondents:* 33.

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 1,035 (7.5 hours per response).

9. *An indication of whether section 3507(d), Pub. L. 104-13 applies:* Not applicable.

10. *Abstract:* Agreement States are asked on a one-time only or on an as-needed basis to respond to requests for information, e.g., to respond to a specific incident or to gather information on licensing and inspection practices and other technical statistical information. The results of such information requests, which are authorized under section 274(b) of the Atomic Energy Act, are utilized in part by NRC in preparing responses to Congressional inquiries. Agreement State comments are also solicited in the areas of proposed procedure and policy development.

A copy of the final supporting statement may be viewed free of charge

at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, Maryland 20852. OMB clearance requests are available at the NRC World Wide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by May 26, 2004. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. OMB Desk Officer, Office of Information and Regulatory Affairs (3150-0029), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo Shelton, (301) 415-7233.

Dated in Rockville, Maryland, this 19th day of April, 2004.

For the Nuclear Regulatory Commission.

**Brenda Jo Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 04-9355 Filed 4-23-04; 8:45 am]

**BILLING CODE 7590-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of OPM decisions granting authority to make Appointments under Schedules A, B and C in the excepted service as required by 5 CFR 6.6 and 213.103.

**FOR FURTHER INFORMATION CONTACT:** Ms. Delores Everett, Center for Leadership and Executive Resources Policy, Division for Strategic Human Resources Policy, 202-606-1050.

**SUPPLEMENTARY INFORMATION:** Appearing in the listing below are the individual authorities established under Schedule C between March 1, 2004, and March 31, 2004. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 is published each year.

### Schedule A

The following Schedule A appointments were approved for March 2004:

*Section 213.3102(i)(3) Department of Agriculture*

Schedule A exception for temporary positions dealing with Bovine Spongiform Encephalopathy or "Mad Cow" disease.

- Consumer Safety Officer, GS-696-11 through 13;
- Compliance Officer, GS-1801-09 through 13;
- Public Affairs Officer, GS-1035-09 through 13;
- Technical Information Specialist, GS-1412-09 through 13;
- Food Inspector, GS-1863-05 and 7;
- Math Statistician, GS-1529-09 through 14;
- Program Analyst, GS-0343-09 through 14 (regulation writers only);
- Food Technologist, GS-1382-09 through 14; and
- Physical Scientist, GS-1301-09 through 14.

Employment under this authority may not exceed 1 year. Temporary appointments are subject to the service limits in title 5, Code of Federal Regulations, section 213.104. In making appointments to these positions, please cite Schedule A, section 213.3102(i)(3) as the appointing authority. Effective March 15, 2004.

*Section 213.3111 Department of Homeland Security*

(a) Up to 50 positions at the GS-5 through 15 grade levels at the Department of Homeland Security. No new appointments may be made under this authority after September 30, 2004. Effective March 31, 2004.

### Schedule B

No Schedule B appointments for March 2004.

### Schedule C

The following Schedule C appointments were approved for March 2004:

*Section 213.3303 Executive Office of the President*

Office of Management and Budget  
BOGS60030 Confidential Assistant to the Associate Director for E-Government and Information Technology. Effective March 04, 2004.  
BOGS00085 Special Assistant to the Administrator, E-Government and Information Technology. Effective March 15, 2004.

- Office of Science and Technology Policy  
 TSGS60032 Assistant to the Director for Legislative Affairs to the Chief of Staff and General Counsel. Effective March 01, 2004.
- Section 213.3304 Department of State*  
 DSGS60750 Special Assistant to the Under Secretary for Public Diplomacy and Public Affairs. Effective March 16, 2004.  
 DSGS60756 Special Assistant to the Under Secretary for Global Affairs. Effective March 23, 2004.  
 DSGS60758 Special Assistant to the Under Secretary for Arms Control and Security Affairs. Effective March 31, 2004.
- Section 213.3305 Department of the Treasury*  
 DYGS60405 Special Assistant to the Assistant Secretary (Deputy Under Secretary) Legislative Affairs. Effective March 12, 2004.  
 DYGS00441 Director of Outreach to the Deputy Assistant Secretary. Effective March 30, 2004.
- Section 213.3306 Department of Defense*  
 DDGS16796 Staff Assistant to the Deputy Assistant Secretary of Defense (Forces Policy). Effective March 30, 2004.  
 DDGS16797 Staff Assistant to the Deputy Under Secretary of Defense (Special Plans and Near East/South Asian Affairs). Effective March 31, 2004.  
 DDGS16799 Defense Fellow to the Special Assistant to the Secretary of Defense for White House Liaison. Effective March 31, 2004.  
 DDGS16802 Special Assistant to the Deputy Under Secretary of Defense (International Technology Security). Effective March 31, 2004.
- Section 213.3307 Department of the Army*  
 DWGS00077 Confidential Assistant to the Assistant Secretary of the Army (Civil Works). Effective March 19, 2004.
- Section 213.3310 Department of Justice*  
 DJGS00189 Counsel to the Assistant Attorney General Civil Division. Effective March 22, 2004.  
 DJGS00187 Counsel to the Assistant Attorney General Civil Division. Effective March 31, 2004.  
 DJEX00290 Director, Alcohol, Tobacco, Firearms and Explosives to the Attorney General. Effective March 31, 2003.
- Section 213.3311 Department of Homeland Security*  
 DMGS00199 Staff Assistant to the Chief of Staff for Immigration and Customs Enforcement. Effective March 01, 2004.  
 DMGS00202 Director of Policy to the Chief of Staff. Effective March 01, 2004.  
 DMGS00210 Press Secretary to the Deputy Director of Communications for Emergency Preparedness and Response. Effective March 09, 2004.  
 DMGS00196 Executive Assistant to the Under Secretary for Science and Technology. Effective March 10, 2004.  
 DMGS00197 Policy Assistant to the Director for Domestic Preparedness. Effective March 10, 2004.  
 DMGS00203 Public Liaison Officer to the Director of Public Liaison. Effective March 10, 2004.  
 DMGS00206 Press Assistant to the Director of Communications. Effective March 12, 2004.  
 DMGS00204 Deputy Press Secretary to the Press Secretary. Effective March 15, 2004.  
 DMGS00207 Assistant Press Secretary to the Press Secretary. Effective March 15, 2004.  
 DMGS00205 Executive Assistant to the Assistant Secretary for Plans, Programs and Budgets. Effective March 17, 2004.  
 DMGS00209 Public Liaison Officer to the Director of Public Liaison. Effective March 22, 2004.  
 DMGS00214 Communications Director for Immigration and Customs Enforcement to the Chief of Staff for Immigration and Customs Enforcement. Effective March 30, 2004.  
 DMGS00217 Legislative Assistant to the Assistant Secretary for Legislative Affairs. Effective March 31, 2004.
- Section 213.3312 Department of the Interior*  
 DIGS60133 Chief, Office of Congressional and Legislative Affairs to the Director, External and Intergovernmental Affairs. Effective March 05, 2004.  
 DIGS60467 Special Assistant to the Director, United States Fish and Wildlife Service. Effective March 05, 2004.  
 DIGS61012 Special Assistant—Advance to the Director of Scheduling and Advance. Effective March 23, 2004.
- Section 213.3313 Department of Agriculture*  
 DAGS00700 Special Assistant to the Assistant Secretary for Congressional Relations. Effective March 15, 2004.
- DAGS00702 Presidential Management Agenda Coordinator to the Assistant Secretary for Administration. Effective March 30, 2004.
- Section 213.3314 Department of Commerce*  
 DCGS60302 Director of External Affairs to the Director, Office of Public and Constituent Affairs. Effective March 01, 2004.  
 DCGS00200 Special Assistant to the Deputy Assistant Secretary for Legislative and Intergovernmental Affairs. Effective March 05, 2004.  
 DCGS00620 Director, Office of Legislative Affairs to the Under Secretary for International Trade. Effective March 05, 2004.  
 DCGS60596 Confidential Assistant to the Director of Public Affairs. Effective March 05, 2004.  
 DCGS00467 Confidential Assistant to the Deputy Chief of Staff for Policy. Effective March 17, 2004.  
 DCGS00531 Confidential Assistant to the Deputy Assistant Secretary for Export Promotion Services. Effective March 26, 2004.
- Section 213.3315 Department of Labor*  
 DLGS06119 Special Assistant to the Director of Scheduling and Advance. Effective March 03, 2004.  
 DLGS60003 Special Assistant to the Chief of Staff. Effective March 23, 2004.  
 DLGS60225 Staff Assistant to the Assistant Secretary for Public Affairs. Effective March 25, 2004.
- Section 213.3316 Department of Health and Human Services*  
 DHGS60383 Special Assistant to the Assistant Secretary for Public Affairs. Effective March 03, 2004.  
 DHGS00492 Deputy White House Liaison for Boards and Committees to the Chief of Staff. Effective March 15, 2004.  
 DHGS60665 Deputy Director for Policy, Intergovernmental Affairs to the Director of Intergovernmental Affairs. Effective March 15, 2004.  
 DHGS00378 Special Assistant to the Assistant Secretary for Public Affairs. Effective March 16, 2004.
- Section 213.3317 Department of Education*  
 DBGS00309 Special Assistant to the Chief of Staff. Effective March 05, 2004.  
 DBGS00314 Confidential Assistant to the Associate Deputy Under Secretary for Improvement and Reform. Effective March 05, 2004.  
 DBGS00316 Special Assistant to the Assistant Secretary for Legislation and

Congressional Affairs. Effective March 05, 2004.

DBGS00313 Deputy Secretary's Regional Representative to the Assistant Secretary for Intergovernmental and Interagency Affairs. Effective March 08, 2004.

DBGS00315 Special Assistant to the Deputy Secretary of Education. Effective March 08, 2004.

DBGS00318 Special Assistant to the Deputy Assistant Secretary for Intergovernmental, Constituent Relations and Corporate Liaison. Effective March 09, 2004.

DBGS00319 Deputy Secretary's Regional Representative to the Deputy Assistant Secretary for Regional Services. Effective March 09, 2004.

DBGS00320 Confidential Assistant to the Deputy Assistant Secretary for Special Education and Rehabilitative Services. Effective March 12, 2004.

DBGS00321 Special Assistant to the Assistant Secretary for Elementary and Secondary Education. Effective March 26, 2004.

*Section 213.3318 Environmental Protection Agency*

EPGS04002 Director of Press Advance and Special Assistant for Communications to the Deputy Associate Administrator for the Office of Public Affairs. Effective March 26, 2004.

*Section 213.3325 United States Tax Court*

JCGS60080 Secretary (Confidential Assistant) to the Chief Judge. Effective March 03, 2004.

*Section 213.3330 Securities and Exchange Commission*

SEOT60032 Director of Public Affairs to the Chairman. Effective March 12, 2004.

*Section 213.3331 Department of Energy*

DEGS00405 Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective March 08, 2004.

DEGS00406 Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective March 12, 2004.

DEGS00409 Special Assistant to the Director, Public Affairs. Effective March 17, 2004.

DEGS00407 Daily Scheduler to the Director, Office of Scheduling and Advance. Effective March 25, 2004.

DEGS00411 Policy Advisor to the Director, Office of Science. Effective March 31, 2004.

*Section 213.3332 Small Business Administration*

SBGS60010 Senior Advisor to the Chief Operating Officer and Chief Information Officer. Effective March 04, 2004.

SBGS60153 Deputy Associate Administrator for Intergovernmental Affairs to the Associate Administrator for Field Operations. Effective March 04, 2004.

SBGS60208 Special Assistant to the Associate Deputy Administrator for Entrepreneurial Development. Effective March 04, 2004.

SBGS60154 Deputy Director, External Affairs to the Director of External Affairs. Effective March 15, 2004.

SBGS60043 Special Assistant to the Associate Administrator for Congressional and Legislative Affairs. Effective March 16, 2004.

SBGS60535 Senior Advisor to the Associate Deputy Administrator for Entrepreneurial Development. Effective March 19, 2004.

SBGS60356 Special Assistant to the Associate Administrator for Strategic Alliances. Effective March 26, 2004.

*Section 213.3337 General Services Administration*

GS00150 Congressional Relations Officer to the Associate Administrator for Congressional and Intergovernmental Affairs. Effective March 05, 2004.

GS00132 Special Assistant to the Regional Administrator, Region 10, Auburn, Washington. Effective March 22, 2004.

GS00130 Special Assistant to the Regional Administrator, Region 7, Fort Worth, Texas. Effective March 23, 2004.

GS00133 Congressional Relations Analyst to the Associate Administrator for Congressional and Intergovernmental Affairs. Effective March 25, 2004.

*Section 213.3339 United States International Trade Commission*

TCGS60018 Staff Assistant (Legal) to the Commissioner. Effective March 08, 2004.

*Section 213.3344 Occupational Safety and Health Review Commission*

SHGS00003 Confidential Assistant to the Commissioner Member. Effective March 19, 2004.

*Section 213.3348 National Aeronautics and Space Administration*

NNGS00024 Writer—Editor to the Assistant Administrator for Public Affairs. Effective March 25, 2004.

*Section 213.3384 Department of Housing and Urban Development*

DUGS60438 Director, Office of Insured Health Care Facilities to the Assistant Secretary for Housing, Federal Housing Commissioner. Effective March 03, 2004.

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.

Office of Personnel Management.

**Kay Coles James,**

*Director.*

[FR Doc. 04–9421 Filed 4–23–04; 8:45 am]

**BILLING CODE 6325–39–P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34–49577; File No. SR–CBOE–2004–17]

**Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving Proposed Rule Change and Amendment No. 1 Thereto Establishing a Process for Approving and Appointing Remote Electronic Designated Primary Market-Makers**

April 19, 2004.

**I. Introduction**

On March 11, 2004, the Chicago Board Options Exchange, Incorporated (“CBOE” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), 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> a proposed rule change to adopt new rules establishing a process for approving and appointing remote electronic Designated Primary Market-Makers (“e-DPMs”). On March 11, 2004, the CBOE filed Amendment No. 1 to the proposed rule change.<sup>3</sup> On March 18, 2004, the CBOE’s rule proposal, as amended, was published for comment in the **Federal Register**.<sup>4</sup> No comment letters were received on the proposal. This order approves the proposal and Amendment No.1 thereto.

**II. Description of Proposal**

The CBOE is currently in the process of proposing significant enhancements to its Hybrid Trading System (“CBOE Hybrid 2.0 initiatives”) including, among other things, the addition of a proposed new category of CBOE market-

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

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> Amendment No. 1 replaced and superceded the CBOE’s original 19b–4 filing in its entirety.

<sup>4</sup> See Securities Exchange Act Release No. 49411 (March 12, 2004), 69 FR 12878.