

Exchange will automatically route orders to other markets to prevent trade-throughs beginning on the Trading Phase Date. Further, the filing seeks to rename NYSE Rule 15A from "ITS 'Trade-Throughs' And 'Locked Markets'" to "Order Protection Rule."<sup>11</sup>

In addition, the NYSE has requested from the Commission limited no-action relief with respect to the Exchange's obligation to route orders, in accordance with amended Rule 15A.50, proposed herein, to protected quotations, as defined in Rule 600(b)(57) under the Act,<sup>12</sup> of NASD ADF participants and the International Stock Exchange, LLC beginning on Reg. NMS's Trading Phase Date until April 5, 2007.<sup>13</sup>

## 2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5)<sup>14</sup> that an Exchange have rules that are designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

### 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

The Exchange has neither solicited nor received written comments on the proposed rule change.

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

The proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>15</sup> and Rule 19b-4(f)(6) thereunder<sup>16</sup> because the proposal does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become

<sup>11</sup> NYSE Rule 19 governs locking or crossing protected quotations in NMS stocks. Additionally, a forthcoming filing will propose conforming changes to NYSE rules to reflect the elimination of the ITS Plan.

<sup>12</sup> 17 CFR 242.600(b)(57).

<sup>13</sup> See Letter from Mary Yeager, Assistant Secretary, NYSE, to Nancy M. Morris, Secretary, Commission, dated March 1, 2007.

<sup>14</sup> 15 U.S.C. 78f(b)(5).

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

<sup>16</sup> 17 CFR 240.19b-4(f)(6).

operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.<sup>17</sup> NYSE has requested that the Commission waive the 30-day operative delay. The Commission believes that such waiver is consistent with the protection of investors and the public interest because the proposed rule change will allow the Exchange to implement, without delay, its amended Rule 15A.50 to specify the circumstances under which the Exchange will automatically route orders to other market centers to prevent trade-throughs on its market beginning on March 5, 2007, which marks the Trading Phase Date of Regulation NMS and the expected termination of the ITS Plan. Accordingly, the Commission hereby designates the proposed rule change to be operative on March 5, 2007.<sup>18</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate 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.<sup>19</sup>

## 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 Number SR-NYSE-2007-23 on the subject line.

### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary,

<sup>17</sup> Rule 19b-4(f)(6)(iii) under the Act requires that a self-regulatory organization submit to the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. NYSE has satisfied the pre-filing requirement.

<sup>18</sup> For purposes only of waiving the 30-day operative delay of the proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>19</sup> See 15 U.S.C. 78s(b)(3)(C).

Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2007-23. 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 inspection and copying in the Commission's Public Reference Room. Copies of the 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-NYSE-2007-23 and should be submitted on or before March 30, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>20</sup>

**Florence E. Harmon,**  
Deputy Secretary.

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## DEPARTMENT OF STATE

[Public Notice: 5717]

### 60-Day Notice of Proposed Information Collection: DS-2031, Shrimp Exporter's/Importer's Declaration, OMB Control Number 1405-0095

**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB.

<sup>20</sup> 17 CFR 200.30-3(a)(12).

We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

*Title of Information Collection:* Shrimp Exporter's/Importer's Declaration.

*OMB Control Number:* 1405-0095.

*Type of Request:* Extension of a Currently Approved Collection.

*Originating Office:* Bureau of Oceans and International Environmental and Scientific Affairs, Office of Marine Conservation (OES/OMC).

*Form Number:* DS-2031.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents:* 3,000.

*Estimated Number of Responses:* 10,000.

*Average Hours per Response:* 10 min.

*Total Estimated Burden:* 1,666.

*Frequency:* On Occasion.

*Obligation to Respond:* Mandatory Required to Obtain or Retain a Benefit.

**DATES:** The Department will accept comments from the public up to 60 days from March 9, 2007.

**ADDRESSES:** You may submit comments by mail to the Office of Marine Conservation (OES/OMC), 2201 C Street, NW., Room 2758, Washington, DC 20520, or by facsimile at 202-736-7350.

**FOR FURTHER INFORMATION CONTACT:** Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Clayton Stanger, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington, DC 20520-7818; telephone: 202-647-2335.

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

- Evaluate whether the proposed information collection is necessary for the proper performance of 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, including the use of automated collection techniques or other forms of technology.

*Abstract of proposed collection:* The Form DS-2031 is necessary to document imports of shrimp pursuant to the State Department's implementation of Section

609 of Public Law 101-162, which prohibits the entry into the United States of shrimp harvested in ways which are harmful to sea turtles. Respondents are shrimp exporters and government officials in countries which export shrimp to the United States. The DS-2031 Form is to be retained by the importer for a period of three years subsequent to entry, and during that time is to be made available to U.S. Customs and Border Protection of the Department of State upon request.

*Methodology:* The DS-2031 Form is completed by the exporter, the importer, and under certain conditions a government official of the exporting country. The DS-2031 Form accompanies shipment of shrimp and shrimp products to the United States and is to be made available to U.S. Customs and Border Protection at the time of entry.

Dated: February 27, 2007.

**Margaret F. Hayes,**

*Acting, Deputy Assistant Secretary for Oceans and Fisheries, Department of State.*

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## DEPARTMENT OF STATE

[Public Notice: 5716]

**Title: 60-Day Notice of Proposed Information Collection: Forms DS-2053, DS-3024, DS-3025, and DS-3026; Medical Examination for Immigrant or Refugee Applicant; OMB Control Number 1405-0113**

**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

*Title of Information Collection:* Medical Examination for Immigrant or Refugee Applicant.

*OMB Control Number:* 1405-0113.

*Type of Request:* Extension of a Currently Approved Collection.

*Originating Office:* Bureau of Consular Affairs, Visa Services (CA/VO).

*Form Number:* DS-2053, DS-3024, DS-3025, DS-3026.

*Respondents:* Immigrant visa and refugee applicants.

*Estimated Number of Respondents:* 630,000 per year.

*Estimated Number of Responses:* 630,000 per year.

*Average Hours per Response:* 1 hour.

*Total Estimated Burden:* 630,000 hours annually.

*Frequency:* Once per application.

*Obligation to Respond:* Required to Obtain Benefit.

**DATES:** The Department will accept comments from the public up to 60 days from March 9, 2007.

**ADDRESSES:** You may submit comments by any of the following methods:

- *E-mail:* [VisaRegs@state.gov](mailto:VisaRegs@state.gov) (Subject line must read OMB 1405-0113 Reauthorization).

- *Mail (paper, disk, or CD-ROM submissions):* Chief, Legislation and Regulations Division, Visa Services—OMB 1405-0113 Reauthorization, 2401 E Street, NW., Washington DC 20520-30106.

- *Fax:* (202) 663-3898

You must include the DS form number (if applicable), information collection title, and OMB control number in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Andrea Lage of the Office of Visa Services, U.S. Department of State, 2401 E Street, NW., L-603, Washington, DC 20522, who may be reached at (202) 663-1221 or [lageab@state.gov](mailto:lageab@state.gov).

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

- Evaluate whether the proposed information collection is necessary for the proper performance of 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, including the use of automated collection techniques or other forms of technology.

*Abstract of proposed collection:* INA Section 221(d) requires that prior to the issuance of an immigrant visa the applicant undergo a physical and mental examination. The results of the medical examination are used to determine the alien's eligibility for such a visa under INA 212(a)(1). INA Section 412(b)(4)(B) requires that the United States Government "provide for the identification of refugees who have been determined to have medical conditions