

financially-settled equivalent of such contract;

(2) ICE Futures Europe (DME) will inform the Commission in a quarterly report of any trader that had positions in a linked contract above the applicable ICE Futures Europe (DME) position limit, whether a hedge exemption was granted, and if not, whether a disciplinary action was taken;

(3) ICE Futures Europe (DME) will publish daily trading information (*e.g.*, settlement prices, volume, open interest, and opening and closing ranges) that is comparable to the daily trading information published by the DCM, DTEF or ECM for the contract against which the ICE Futures Europe (DME) contract settles; and

(4) ICE Futures Europe (DME) will provide to the CFTC (through the Financial Services Authority (FSA) in the case of ICE Futures Europe), a daily report of large trader positions in each linked contract for all contract months in a form and manner that (a) can be fully integrated into the CFTC's market surveillance systems, including full identification of each position's beneficial owner comparable to the reporting that is provided by the DCM, DTEF, or ECM; and (b) can, (subject to any Memorandum of Understanding between the CFTC and FSA in the case of ICE Futures Europe), be fully integrated into the CFTC's *Commitments of Traders Report*, including appropriate categorization of traders and their positions.

The Commission is hereby providing notice that these conditions henceforth will be imposed on the no-action relief of any FBOT that lists for trading by direct access from the U.S. any futures or option contract which settles against any price, including the daily or final settlement price, of (1) a contract listed for trading on a DCM or DTEF, or (2) a contract listed for trading on an ECM that has been determined to be a significant price discovery contract.

### III. Listing Option Contracts

Both the Statement of Policy and the Notice of Revision required separate notification for futures and option contracts in order to permit the contracts to be listed for direct access from the U.S. Thus, even if the futures contract is currently listed, the FBOT must separately notify the Division, pursuant to the ten business day advance notification requirement of the Notice of Revision, of its desire to list the option on that futures contract. In contrast, when the Commission's Office of General Counsel (OGC) issues a no-action letter to allow the offer or sale of a FBOT-traded broad-based security

index futures contract to persons located in the U.S., the option on that particular futures contract may also be offered or sold in the U.S. without any further regulatory action from OGC. This leads to an unusual situation when the FBOT, pursuant to Appendix D of Part 30,<sup>15</sup> requests permission to list a futures contract for trading by direct access from the U.S. in the same no-action request letter in which the FBOT requests the OGC no-action position. When OGC issues the no-action letter, both the futures contract and the option on that contract may be offered or sold in the U.S. and, with the concurrence of the Division, the futures contract (but not the option on that futures contract) may be listed for direct access from the U.S. pursuant to the terms and conditions of the direct access no-action relief. The FBOT must then separately request permission from the Division to make the option contract available by direct access.

In order to eliminate this inconsistency and to streamline the procedures for listing option contracts for direct access from the U.S., the Commission is hereby providing notice that the provisions in the Notice of Revision, insofar as they apply to options on futures contracts that are, or could be,<sup>16</sup> listed for trading by direct access from the U.S. pursuant to the conditions of the FBOT's no-action relief, are revised as follows:

(1) If the option is on a broad-based security index futures contract which may be offered or sold in the U.S. and listed for direct access from the U.S. pursuant to a no-action letter issued by OGC, the option contract may be listed for direct access without further action by either the requesting FBOT or the Division.

(2) If the option is on a futures contract that is neither a linked contract nor a broad-based security index futures contract which may be offered or sold in the U.S., the option contract may be listed for direct access merely by filing with Commission staff no later than the business day preceding the initial listing of the contract: (i) a copy of the initial terms and conditions of the additional contract and (ii) a certification that the FBOT is in compliance with the terms and conditions of its no-action letter and that the additional option contract would be traded in accordance with such terms and conditions.

(3) If the option is on a futures contract that is a linked contract, the

option contract may be listed for direct access merely by filing with Commission staff no later than the business day preceding the initial listing of the contract: (i) a copy of the initial terms and conditions of the additional contract and (ii) a certification that the FBOT is in compliance with the terms and conditions of its no-action letter, *including the conditions specifically applicable to linked contracts*, and that the additional option contract would be traded in accordance with such terms and conditions.

Issued in Washington, DC on January 14, 2009, by the Commission.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. E9-1153 Filed 1-16-09; 8:45 am]

BILLING CODE 6351-01-P

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Extension of an Existing Collection—3038-0007.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

**DATES:** Comments must be submitted on or before February 20, 2009.

#### FOR FURTHER INFORMATION OR A COPY

**CONTACT:** William Penner, Division of Clearing and Intermediary Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, (202) 418-5407; Fax: (202) 418-5536; e-mail: [wpenner@cftc.gov](mailto:wpenner@cftc.gov) and refer to OMB Control No. 3038-0007.

#### SUPPLEMENTARY INFORMATION:

*Title:* Rules Relating to Regulation of Domestic Exchange-Traded Options (OMB Control No. 3038-0007). This is a request for extension of a currently approved information collection.

*Abstract:* Rules Relating to Regulation of Domestic Exchange-Traded Options, OMB Control No. 3038-0007—Extension.

The rules require futures commission merchants and introducing brokers (1) to provide their customers with

<sup>15</sup> 17 CFR 30, App. D. (2003), 68 FR 33623.

<sup>16</sup> This procedure also applies where the FBOT has permission to list the futures contract for trading by direct access but has not yet done so at the time it also decides to list the option contract.

standard risk disclosure statements concerning the risk of trading commodity interests; and (2) to retain all promotional material and the source of authority for information contained therein. The purpose of these rules is to ensure that customers are advised of the risks of trading commodity interests and to avoid fraud and misrepresentation. The rules also contain procedures for contract market designation and product review and approval. These rules are promulgated pursuant to the Commission's rulemaking authority contained in sections 2, 3, 4, 4c, 4d, 4f, 5, and 8(a)(5) of the Act, 7 U.S.C. 2, 5, 6, 6c, 6d, 6f, 7, and 12(a)(5).

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 OMB control number. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on November 12, 2008 (73 FR 66846).

**Burden statement:** The respondent burden for this collection is estimated to average .10 hours per response.

**Respondents/Affected Entities:** 413.

**Estimated number of responses:** 20,376.

**Estimated total annual burden on respondents:** 7,885 hours.

**Frequency of collection:** On occasion.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038-0007 in any correspondence.

William Penner, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: January 12, 2009.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. E9-1146 Filed 1-16-09; 8:45 am]

**BILLING CODE 6351-01-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Partially Exclusive Patent License; DRS Technologies, Inc.

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to DRS Technologies, Inc., a revocable, nonassignable, partially exclusive license in the United States to practice the Government-Owned invention(s) described in U.S. Patent Application 11/832,065 entitled "Wireless Self-Contained Relay Device", file date Aug. 1, 2007; and U.S. Patent Application 11/832,103 entitled "Relay Device Deployer System" file date Aug. 1, 2007.

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than February 5, 2009.

**ADDRESSES:** Written objections are to be filed with the Office of Research and Technology Applications, Space and Naval Warfare Systems Center, San Diego, Code 72120, 53560 Hull St., San Diego, CA 92152-5001.

**FOR FURTHER INFORMATION CONTACT:** Stephen H. Lieberman, PhD, Office of Research and Technology Applications, Space and Naval Warfare Systems Center, San Diego, Code 72120, 53560 Hull St., San Diego, CA 92152-5001, telephone: 619-553-2778, e-Mail: [stephen.lieberman@navy.mil](mailto:stephen.lieberman@navy.mil).

**Authority:** 35 U.S.C. 207, 37 CFR Part 404.

Dated: January 13, 2009.

**A.M. Vallandingham**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. E9-1034 Filed 1-16-09; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent to Grant Partially Exclusive Patent License; Gem City Engineering Company

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to Gem City Engineering Company, a revocable, nonassignable, partially exclusive license in the United States to practice the Government-Owned

invention(s) described in U.S. Patent Application 11/832,065 entitled "Wireless Self-Contained Relay Device", file date Aug 1, 2007; and U.S. Patent Application 11/832,103 entitled "Relay Device Deployer System" file date Aug 1, 2007.

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than February 5, 2009.

**ADDRESSES:** Written objections are to be filed with the Office of Research and Technology Applications, Space and Naval Warfare Systems Center, San Diego, Code 72120, 53560 Hull St, San Diego, CA 92152-5001.

**FOR FURTHER INFORMATION CONTACT:** Stephen H. Lieberman, PhD, Office of Research and Technology Applications, Space and Naval Warfare Systems Center, San Diego, Code 72120, 53560 Hull St, San Diego, CA 92152-5001, telephone: 619-553-2778, E-Mail: [stephen.lieberman@navy.mil](mailto:stephen.lieberman@navy.mil).

**Authority:** 35 U.S.C. 207, 37 CFR Part 404.

Dated: January 13, 2009.

**A.M. Vallandingham,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. E9-1039 Filed 1-16-09; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Record of Decision for Homeporting of Additional Surface Ships at Naval Station Mayport, FL

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy (DON), after carefully weighing the strategic, operational, and environmental consequences of the proposed action, announces its decision to homeport one nuclear-powered aircraft carrier (CVN) at Naval Station (NAVSTA) Mayport. Today's decision does not relocate a specific CVN to NAVSTA Mayport. It does initiate a multi-year process for developing operational, maintenance, and support facilities at NAVSTA Mayport to support homeporting of one CVN.

This multi-year process includes implementing projects for dredging and dredged material disposal, construction of CVN nuclear propulsion plant maintenance facilities, wharf improvements, transportation improvements, and construction of a