

significant burden on competition; and (3) does not become operative for 30 days from the date of filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Therefore, the foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>10</sup> and subparagraph (f)(6) of Rule 19b-4 thereunder.<sup>11</sup> The Exchange notes that the proposed rule change is based on a similar proposal recently approved by the Commission.<sup>12</sup> The Exchange has asked the Commission to waive the operative delay to permit the proposed rule change to become operative prior to the 30th day after filing.

The Pilot Program was scheduled to expire on March 1, 2008. The Commission believes that waiving the 30-day operative delay of the Exchange's proposal is consistent with the protection of investors and the public interest because it will allow the position and exercise limits to remain at consistent levels during the transition from the Pilot Program to permanent status.<sup>13</sup> Therefore, the Commission designates the proposal to be operative upon filing.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate the 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

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>11</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to provide the Commission with 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. The Exchange has fulfilled this requirement.

<sup>12</sup> See Securities Exchange Act Release No. 57352 (February 19, 2008), 73 FR 10076 (February 25, 2008) (SR-CBOE-2008-07).

<sup>13</sup> For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File No. SR-Phlx-2008-14 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2008-14. 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, 100 F Street, NE., 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-Phlx-2008-14 and should be submitted on or before March 28, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

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## SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2008-0009]

### Modifications to the Disability Determination Procedures; Reinstatement of "Prototype" and "Single Decisionmaker" Tests in States in the Boston Region

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice.

**SUMMARY:** Effective March 23, 2008, we are reinstating New Hampshire as a "prototype" State in the disability redesign tests we are conducting under the authority of our regulations. We are also reinstating Maine and Vermont as States that use "single decisionmakers" under the same authority. These three States stopped participating in the disability redesign tests on August 1, 2006, when they began to participate in the Disability Service Improvement (DSI) initiative that we have been testing in our Boston region since that date. On January 15, 2008, we published a final rule in the **Federal Register** suspending the Federal Reviewing Official review level of the DSI process. The final rule will be effective on March 23, 2008. Therefore, Maine, New Hampshire, and Vermont will resume their participation in the disability redesign tests on the effective date of the final rule.

**DATES:** On March 23, 2008, New Hampshire will resume its participation as a prototype State, and Maine and Vermont will resume their participation as single decisionmaker States. Selection of cases for the current tests is scheduled to end no later than September 30, 2009. (71 FR 45890). We will use the same date for Maine, New Hampshire, and Vermont. If we decide to continue selection of cases for these tests beyond this date in Maine, New Hampshire, Vermont, and the other States that are participating in the tests, we will publish another notice in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Michele Schaefer, Office of Disability Programs, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401, 410-594-0083, for information about this notice. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

**SUPPLEMENTARY INFORMATION:** Our current rules at §§ 404.906 and 416.1406 authorize us to test, individually or in any combination, different

<sup>14</sup> 17 CFR 200.30-3(a)(12).

modifications to our disability determination procedures. We have conducted several tests under the authority of these rules. One of these tests is a "prototype" that incorporates two modifications to the disability determination procedures that we use:

- A single decisionmaker (SDM), in which disability examiners in the State agencies that make disability determinations for us may make the initial disability determination in most cases without requiring the signature of a medical or psychological consultant, and

- Elimination of the reconsideration level of the administrative review process.

Another test uses SDMs, but keeps the reconsideration level.

Until August 1, 2006, there were 10 States participating in the prototype test: Alabama, Alaska, California (Los Angeles North and West Branches), Colorado, Louisiana, Michigan, Missouri, New Hampshire, New York, and Pennsylvania. Another 10 State agencies participated in the SDM-only test: Florida, Guam, Kansas, Kentucky, Maine, Nevada, North Carolina, Vermont, Washington, and West Virginia. On August 1, 2006, Maine, New Hampshire, and Vermont, which are States in our Boston region, stopped participating in their respective tests because they were among the first States to implement the DSI process.<sup>1</sup> The tests in the other States have continued.

On January 15, 2008, we published a final rule entitled, "Suspension of New Claims to the Federal Reviewing Official Review Level" (73 FR 2411).<sup>2</sup> The Federal Reviewing Official review level was part of the DSI process and replaced the reconsideration level of our administrative review process for cases we adjudicated in the Boston region under the DSI process. As the title of the final rule states, we will be suspending the Federal Reviewing Official process. This means that we will be going back to the same processes we were following before August 1, 2006, whether that process was reconsideration under §§ 404.907 and 416.1407 or the testing procedures under §§ 404.906 and 416.1406. Therefore, as of the effective date of the final rule suspending the FedRO process:

- New Hampshire will become a prototype State again,

- The first level of appeal in all the other States in the Boston region will be reconsideration by the State agency, and

- Maine and Vermont will use SDMs.

Since the rule suspending the use of the Federal Reviewing Official will be effective on March 23, 2008, that is also the date on which we will make the changes described here in Maine, New Hampshire, and Vermont.

In a **Federal Register** notice we published on August 10, 2006, we explained that the selection of cases for the current tests is scheduled to end no later than September 30, 2009 (71 FR 45890). We also explained that we may decide to extend the tests, and that, if we do, we will publish another notice in the **Federal Register**. We are not extending the scheduled ending dates of these tests now, and will use the same date for Maine, New Hampshire, and Vermont that we use for the other States participating in the tests. Therefore, our selection of cases in Maine, New Hampshire, and Vermont will end on or before September 30, 2009, unless we publish another notice in the **Federal Register** extending the tests.

Dated: March 3, 2008.

**Linda S. McMahon,**

*Deputy Commissioner for Operations.*

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## DEPARTMENT OF STATE

[Public Notice: 6125]

### 30-Day Notice of Proposed Information Collection: Form DS-4071, Export Declaration of Defense Technical Data or Services; OMB Control Number 1405-0157.

**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:* Export Declaration of Defense Technical Data or Services.

- *OMB Control Number:* 1405-0157.

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

- *Originating Office:* Bureau of Political-Military Affairs, Directorate of Defense Trade Controls, PM/DDTC.

- *Form Number:* DS-4071.

- *Respondents:* Business and Nonprofit Organizations.

- *Estimated Number of Respondents:* 2,000.

- *Estimated Number of Responses:* 10,000.

- *Average Hours per Response:* 30 minutes.

- *Total Estimated Burden:* 5,000 hours.

- *Frequency:* On Occasion.

- *Obligation to Respond:* Mandatory.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from March 7, 2008.

**ADDRESSES:** Direct comments and questions to Katherine Astrich, the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB), who may be reached at 202-395-4718. You may submit comments by any of the following methods:

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

- Mail (paper, disk, or CD-ROM submissions): Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.

- Fax: 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:**

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the information collection and supporting documents, to Ann K. Ganzer, PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112, who may be reached via phone at (202) 663-2792, or via e-mail at *ganzerak@state.gov*.

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

- Evaluate whether the proposed collection of information 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

Actual export of defense technical data and defense services will be electronically reported directly to the Directorate of Defense Trade Controls

<sup>1</sup> The other States in the Boston region are Connecticut, Massachusetts, and Rhode Island.

<sup>2</sup> In the notice we published on January 15, 2008, we stated that the effective date of the final rule would be March 15, 2008. However, on February 27, 2008, we published a correction notice in the **Federal Register** providing that the effective date would be March 23, 2008 (73 FR 10381).