

other charges among its members and other persons using its facilities. The Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive. The proposed rule change reflects a competitive pricing structure designed to incent market participants to direct their order flow to the Exchange. Finally, the Exchange believes that the proposed rates are equitable in that they apply uniformly to all Members and provide higher rebates for higher volume thresholds, resulting from lower administrative costs. The Exchange believes the fees and credits remain competitive with those charged by other venues and therefore continue to be reasonable and equitably allocated to those members that opt to direct orders to the Exchange rather than competing venues. Finally, the Exchange believes that the proposed rates further the objectives of Regulation NMS by promoting competition and granting fair and equal access to all exchange participants.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The proposed rule change does not 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 not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Act<sup>18</sup> and Rule 19b-4(f)(2)<sup>19</sup> thereunder. At any time within 60 days of the filing of such 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.

#### **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-EDGA-2010-04 on the subject line.

##### *Paper Comments*

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

All submissions should refer to File Number SR-EDGA-2010-04. 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,<sup>20</sup> 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 Web site viewing and printing 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 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-EDGA-

<sup>20</sup> The text of the proposed rule change is available on the Exchange's Web site at <http://www.directedge.com>, on the Commission's Web site at <http://www.sec.gov>, at EDGA, and at the Commission's Public Reference Room.

2010-04 and should be submitted on or before July 29, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>21</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-16566 Filed 7-7-10; 8:45 am]

BILLING CODE 8010-01-P

#### **DEPARTMENT OF STATE**

[Public Notice: 7075]

#### **30-Day Notice of Proposed Information Collection: Retail Price Schedule, DS-2020 Parts 1-4, DS-2020I, DS-2021, DS-1996, 1405-XXXX**

**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 30 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:* Retail Price Schedule.
- *OMB Control Number:* No OMB Control Number has yet been assigned.
- *Type of Request:* New Collection.
- *Originating Office:* Bureau of Administration Office of Allowances (A/OPR/ALS).
- *Form Number:* DS-2020, DS-2020I, DS-2021, DS-1996.
- *Respondents:* Respondents are managers of retail price outlets in the Washington, DC area and at 96 foreign locations.
- *Estimated Number of Respondents:* 3,888 annually. The estimate represents the number of outlets visited annually worldwide.
- *Estimated Number of Responses:* 4,032.
- *Average Hours per Response:* It is estimated that the average in Washington, DC is one hour. The estimate for foreign locations is twenty minutes.
- *Total Estimated Burden:* 1,376 hours.
- *Frequency:* Biennially at foreign posts. Quarterly in Washington, DC.
- *Obligation To Respond:* Responses from outlets is Voluntary. However, the collection and submission of the data by USG posts is required for Federal employees to obtain/retain a benefit.

<sup>21</sup> 17 CFR 200.30-3(a)(12).

<sup>18</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>19</sup> 17 CFR 19b-4(f)(2).

**DATES:** The Department will accept comments from the public up for up to 30 days from July 8, 2010.

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

- *E-mail:* AllowancesO@state.gov.
- *Mail (paper, disk, or CD-ROM submissions):* Office of Allowances (A/OPR/ALS), Room L314 SA-1, Department of State, Washington, DC 20522-0103.
- *Fax:* (202) 261-8707 or (202) 261-8708.
- *Hand Delivery or Courier:* Office of Allowances (A/OPR/ALS), Room L314, Department of State, 2401 E Street, NW., Washington, DC 20037.

• If you have access to the Internet you may view and comment on this notice by going to "<http://www.regulations.gov/search/Regs/home.html#home>".

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 George W. Indyke, Director, Office of Allowances, Room L314 SA-1, Washington, DC 20522-0103, who may be reached on (202) 261-8700 or at [AllowancesO@state.gov](mailto:AllowancesO@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:* The collected data is used by the Department of State to carry out its responsibilities under 5 U.S.C. 5924(1), and Executive Orders 10903 and by the Department of Defense to carry out responsibilities under 37 U.S.C. 405. It is the primary source of information used to establish/justify post (cost of living) allowances for all Federal civilian employees assigned abroad and cost of living allowances for uniformed service members. The respondents are the store/

department managers of approximately 40 retail outlets at each foreign post and approximately 48 retail outlets in the Washington, DC area.

*Methodology:* U.S.G. employees or contractors visit the retail outlets and gather prices personally. The estimated burden for respondents is based on the time the Price Collectors may spend with them to explain the purpose of the data collection and seek their cooperation with having the price collector gather prices. Once the price collector has completed the cost data collection, the information is entered in the eAllowances program for electronic submission to the Department of State's Office of Allowances.

Dated: June 21, 2010.

**George W. Indyke, Jr.,**

*Director, Office of Allowances, Bureau of Administration, Department of State.*

[FR Doc. 2010-16672 Filed 7-7-10; 8:45 am]

**BILLING CODE 4710-24-P**

**DEPARTMENT OF STATE**

**[Public Notice: 7047]**

**Amendment to the Biometric Visa Program**

**AGENCY:** Department of State.

**ACTION:** Notice of Amendment to the Biometric Visa Program.

This public notice announces an amendment to the Biometric Visa Program. Section 303 of the Enhanced Border Security and Visa Entry Reform Act of 2002 has required, since October 26, 2004, that all visas issued by the Department must be machine-readable and tamper-resistant and use biometric identifiers. In consultation with the Department of Homeland Security (DHS) and the Department of Justice (DOJ), the Department determined that fingerprints and a photo image should be required as biometric identifiers. When the biometric visa program began, available technology allowed for the efficient capture and comparisons of only two fingerscans. As a result of technological improvements, the Department instituted a ten fingerscan standard to raise the accuracy rate in matching fingerscans and enhanced our ability to detect and thwart persons who are eligible for visas.

In establishing the Biometric Visa Program, the Department coordinated closely with the Department of Homeland Security (DHS). The Biometric Visa Program is a partner program to the DHS US-VISIT Program that is in effect at U.S. ports of entry and that uses the same biometric identifiers.

By coordinating these two programs, the two departments have ensured the integrity of the U.S. visa. This is accomplished by sending the fingerscans and photos of visa applicants to DHS databases. When a person to whom a visa has been issued arrives at a port of entry, his or her photo is retrieved from a database and projected on the computer screen of the Customs and Border Protection officer. The person's fingerscans are compared to the fingerscans in the database to ensure that the person presenting the visa is the same as the person to whom the visa was issued.

Certain exemptions to the fingerscans under the Biometric Visa Program were also coordinated with the Department of Homeland Security to coincide with the exemptions to fingerscans under the US-VISIT Program. Under the Biometric Visa Program, applicants for diplomatic or official visas, for visas to represent their governments at recognized international organizations such as the United Nations or for visas to serve as employees of such organizations, for NATO visas, or for government officials on official transit through the U.S. are exempt from the fingerscans. The aforementioned are represented by visa categories: A-1, A-2, G-1, G-2, G-3, G-4, NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, NATO-6 and C-3 (except for attendants, servants, or personal employees of accredited officials). In addition, persons under age 14 and persons age 80 or above are generally exempt from the fingerscans, unless the person is applying for a visa at a consular post in Mexico and in Yemen. In Mexico, fingerscans are required for applicants beginning at age 7 and above under the program for issuance of biometric Border Crossing Cards (commonly known as "laser visas"), which began in 1998. We have recently expanded that policy to include visa applicants in Yemen, and may further expand it to include additional countries in the future. The Secretary of State retains the authority to require fingerscans of children under age 14 or adults age 80 or above in all other countries. All visa applicants are required to submit a photograph with the visa application, except at consular posts in Mexico where most nonimmigrant visa applicants have a live-capture photo taken at post. All persons, regardless of whether they submit fingerscans or not, are reviewed against the Department's facial recognition database, one of the largest facial recognition databases in the world.

By checking fingerscans against a biometric watchlist, the Biometric Visa