

(2) The institutional change occurring within STEM departments regarding the preparation of future mathematics and science teachers;

(3) The relationships between characteristics of the Noyce Program, types of Noyce recipients, characteristics of the schools in which Noyce recipients teach, and recipients' plans to teach in high-need schools and to pursue leadership roles; and

(4) The impacts of the Noyce program on teacher recruitment and retention and on teacher effectiveness.

The methods of data collection will include both primary and secondary data collections. Primary data collection will include surveys and telephone interviews; secondary data sources include open sources, records at NSF and grantee institutions, and state departments of education and teacher retirement funds. There is a bounded (or limited) number of respondents within the general public who will be affected by this research, including current and former Noyce grantees and associated faculty, STEM majors, post-baccalaureates, or professionals eligible who are supported by Noyce funding, and K–12 principals and district administrators. NSF will use the Noyce program evaluation data and analyses to respond to requests from Committees of Visitors (COV), Congress and the Office of Management and Budget, particularly as related to the Government Performance and Results Act (GPRA) and the Program Assessment Rating Tool (PART) or its replacement. NSF will also use the program evaluation to share the broader impacts of the Noyce program with the general public.

*Respondents:* Individuals, Federal Government, State, Local or Tribal Government and not-for-profit institutions.

*Estimated Number of Respondents:* 5000.

*Burden on the Public:* 2400 hours.

Dated: August 6, 2010.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. 2010–19842 Filed 8–10–10; 8:45 am]

**BILLING CODE 7555–01–P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Availability for Public Comment on the Draft Joint Subcommittee on Ocean Science and Technology—Interagency Ocean Observation Committee Public-Private Use Policy

**AGENCY:** National Science Foundation.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The NOAA Integrated Ocean Observing System (IOOS) Program publishes this notice on behalf of the Joint Subcommittee on Ocean Science and Technology—Interagency Ocean Observation Committee (JSOST–IOOC) to announce a 60-day public comment period for the Public-Private Use Policy mandated by the Integrated Coastal and Ocean Observation System Act of 2009. This policy defines the process the IOOC will use to make decisions about the roles of the federal government, the States, regional information coordination entities, the academic community and the private sector in providing IOOS environmental information, products, technologies and services to end-user communities.

**DATES:** Written, faxed or emailed comments must be received no later than 5 p.m. eastern standard time on October 12, 2010.

**ADDRESSES:** The JSOST–IOOC Public-Private Use Policy is available for review at Web site URL: <http://www.iooc.us>. For the public unable to access the internet, printed copies can be requested by contacting the IOOC Support Office at the address below. The public is encouraged to submit comments electronically to [iooc@oceanleadership.org](mailto:iooc@oceanleadership.org). If you are unable to access the internet, comments may be submitted via fax or regular mail. Faxed comments should be sent to 202–332–8887 with Attn: IOOC Support Office. Comments may be submitted in writing to the Consortium for Ocean Leadership, Attention: IOOC Support Office, 1201 New York Avenue, NW., 4th Floor, Washington, DC 20005

**FOR FURTHER INFORMATION CONTACT:** For further information about this notice, please contact the IOOC Support Office, telephone: 202–787–1622; E-mail: [iooc@oceanleadership.org](mailto:iooc@oceanleadership.org).

**SUPPLEMENTARY INFORMATION:** On 30 March 2009, President Barack Obama signed into law the Integrated Coastal and Ocean Observation Act of 2009. Among the requirements in the Act is a directive to the National Ocean Research Leadership Council (NORLC) to develop a Public-Private Use Policy. In April 2007 the NORLC jointly agreed with the Committee on Ocean Policy supporting body, the Interagency Committee on Ocean Science and Resource Management Integration (ICOSRMI), to allow future actions taken by ICOSRMI to be deemed actions of the NORLC for the purpose of maintaining interagency progress. The IOOC, the federal interagency group established to

lead the interagency planning and coordination of ocean observing activities including IOOS, is represented by seventeen federal agencies, with NOAA identified as the lead federal agency by the Administration. As defined in the IOOC Charter, the purpose of the IOOC is to advise and assist the JSOST on matters relating to all aspects of ocean observations within the scope of an end-to-end concept of ocean observations. The JSOST is under the governance of the NORLC and, by the April 2007 agreement, the ICOSRMI.

Dated: August 5, 2010.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. 2010–19762 Filed 8–10–10; 8:45 am]

**BILLING CODE 7555–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62655; File No. SR–FINRA–2010–042]

### Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of Proposed Rule Change To Adopt FINRA Rule 4160 (Verification of Assets)

August 5, 2010.

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> notice is hereby given that on August 4, 2010, Financial Industry Regulatory Authority, Inc. (“FINRA”) (f/k/a National Association of Securities Dealers, Inc. (“NASD”)) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I and II, below, which Items have been prepared by FINRA. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

FINRA is proposing to adopt FINRA Rule 4160 (Verification of Assets). The proposed rule provides that a member, when notified by FINRA, may not continue to custody or retain record ownership of assets, at a non-member financial institution, which, upon FINRA staff’s request, fails promptly to provide FINRA with written verification of assets maintained by the member at

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

<sup>2</sup> 17 CFR 240.19b–4.

such financial institution. The proposed rule change also would add a supplementary material section to the new rule.

The text of the proposed rule change is below. Proposed new language is underlined.

\* \* \* \* \*

#### 4000. FINANCIAL AND OPERATIONAL RULES

#### 4100. FINANCIAL CONDITION

\* \* \* \* \*

##### 4160. Verification of Assets

*A member, when notified by FINRA, may not continue to custody or retain record ownership of assets, whether such assets are proprietary or customer assets, at a financial institution that is not a member of FINRA, which, upon FINRA staff's request, fails promptly to provide FINRA with written verification of assets maintained by the member at such financial institution.*

• • • *Supplementary Material:*

.01 Asset Transfers. Any member required to transfer its proprietary and/or customer assets pursuant to this Rule shall effect such transfer within a reasonable period of time.

.02 Member Obligations Under SEA Rule 15c3-3. Nothing in this Rule shall be construed as altering in any manner a member's obligations under SEA Rule 15c3-3.

\* \* \* \* \*

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

#### 1. Purpose

FINRA is proposing a rule designed to ensure that FINRA can independently verify assets maintained by a member at a non-member financial institution. While FINRA currently may request such independent verification, it generally cannot compel a financial institution that is not a member to

comply with the request because FINRA's rules apply only to members. This inability to obtain such information directly from a non-member financial institution may limit FINRA's ability to effectively detect fraud and protect investors.

To address these jurisdictional constraints, FINRA is proposing a rule providing that a member, when notified by FINRA, may not continue to custody or retain record ownership of assets, whether such assets are proprietary or customer assets, at a non-member financial institution, which, upon FINRA staff's request, fails promptly<sup>3</sup> to provide FINRA with written verification of assets maintained by the member at such financial institution. FINRA believes there would be significant incentive on the part of non-member financial institutions to promptly comply with staff requests for asset verification in order to continue to retain members' proprietary or customer assets. Similarly, members would seek to assure that non-member financial institutions maintaining their proprietary or customer assets comply with such requests to avoid having to transfer assets to another institution. At this time, FINRA is not proposing to require a member to enter into a written contract with a non-member financial institution maintaining its proprietary or customer assets that would obligate the institution to comply with FINRA staff's requests for verification; however, FINRA would strongly encourage a member to enter into such a contract. A non-member financial institution that has a written contractual obligation with a member but still refuses to provide FINRA with prompt written verification may be in breach of contract, and the member could seek appropriate remedies against the institution. The proposed rule, however, would preclude the member from continuing to maintain assets at that financial institution and require the member to transfer the assets to another financial institution. In this regard, FINRA is mindful of the potential challenges of an asset transfer, and is proposing to adopt Supplementary Material .01 (Asset Transfers), providing that any member required to transfer its proprietary and/or customer assets pursuant to the proposed rule shall effect such transfer within a reasonable period of time.

Additionally, FINRA is proposing to adopt Supplementary Material .02 (Member Obligations Under SEA Rule 15c3-3) to clarify that nothing in the

<sup>3</sup> The proposed rule does not define the term "promptly," which would be assessed based on the particular facts and circumstances.

proposed rule shall be construed as altering in any manner a member's obligations under SEA Rule 15c3-3.

FINRA will announce the effective date of the proposed rule change in a *Regulatory Notice* to be published no later than 60 days following Commission approval. The effective date will be no later than 30 days following publication of the *Regulatory Notice* announcing Commission approval.

#### 2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,<sup>4</sup> which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes that the proposed rule change is consistent with the provisions of the Act noted above in that independent verification will further strengthen FINRA's ability to effectively detect fraud and protect investors.

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

FINRA does not believe that the proposed rule change will result in 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

Written comments were neither solicited nor received.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and

<sup>4</sup> 15 U.S.C. 78o-3(b)(6).

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-FINRA-2010-042 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-FINRA-2010-042. 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 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 such filing also will be available for inspection and copying at the principal office of FINRA. 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-FINRA-2010-042 and should be submitted on or before September 1, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>5</sup>

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

[FR Doc. 2010-19750 Filed 8-10-10; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-62641; File No. SR-EDGA-2010-10]

### Self-Regulatory Organizations; EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Amendments to the EDGA Exchange, Inc. Fee Schedule

August 4, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 30, 2010, the EDGA Exchange, Inc. (the "Exchange" or the "EDGA") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its fees and rebates applicable to Members<sup>3</sup> of the Exchange pursuant to EDGA Rule 15.1(a) and (c) by making several technical amendments to its fee schedule.

All of the changes described herein are applicable to EDGA Members. The text of the proposed rule change is available on the Exchange's Internet Web site at <http://www.directedge.com>.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at

the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

#### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The Exchange proposes to make several technical amendments to its fee schedule. First, it proposes to move the text in footnote 1 that states that "upon a Member's request, EDGA will aggregate share volume calculations for wholly owned affiliates on a prospective basis" to new footnote "a." Then, the Exchange proposes adding a reference to footnote "a" next to all numbered footnotes (except footnote 4 since it states that it is "intentionally omitted.") This amendment clarifies that the ability of Members to request aggregation and the Exchange to aggregate share volume calculations for wholly owned affiliates on a prospective basis applies across all fee and volume threshold calculations and not just to the language found in footnote 1.

The Exchange proposes to delete the reference to footnote 4 found on Flags E and 5 since footnote 4 is "intentionally omitted" and leaving the reference intact leads to confusion by Members.

EDGA Exchange proposes to implement these amendments to the Exchange fee schedule on August 1, 2010.

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of Section 6 of the Act,<sup>4</sup> in general, and furthers the objectives of Section 6(b)(4),<sup>5</sup> in particular, as it is designed to provide for the equitable allocation of reasonable dues, fees and 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. The Exchange believes the fees and credits remain competitive with those charged by other venues and

<sup>5</sup> 17 CFR 200.30-3(a)(12).

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> A Member is any registered broker or dealer that has been admitted to membership in the Exchange.

<sup>4</sup> 15 U.S.C. 78f.

<sup>5</sup> 15 U.S.C. 78f(b)(4).