

DLGS60217 Senior Legislative Officer to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective February 29, 2008.

DLGS60272 Special Assistant to the Deputy Chief of Staff. Effective February 29, 2008.

Section 213.3316 Department of Health and Human Services

DHGS60065 Confidential Assistant to the Chief of Staff. Effective February 05, 2008.

DHGS60539 Special Assistant to the General Counsel. Effective February 13, 2008.

DHGS60066 Confidential Assistant to the Chief of Staff. Effective February 19, 2008.

Section 213.3317 Department of Education

DBGS00663 Special Assistant to the Deputy Assistant Secretary for Media Relations and Strategic Communications. Effective February 13, 2008.

DBGS00421 Confidential Assistant to the Special Assistant. Effective February 14, 2008.

DBGS00436 Special Assistant to the Deputy Assistant Secretary for Media Relations and Strategic Communications. Effective February 14, 2008.

DBGS00586 Special Assistant to the Deputy Assistant Secretary for Media Relations and Strategic Communications. Effective February 14, 2008.

DBGS00664 Chief of Staff to the Assistant Secretary for Vocational and Adult Education. Effective February 15, 2008.

DBGS00249 Special Assistant to the Assistant Secretary for Postsecondary Education. Effective February 19, 2008.

DBGS00614 Confidential Assistant to the Assistant Secretary, Office of Communications and Outreach. Effective February 20, 2008.

DBGS00368 Confidential Assistant to the Special Assistant. Effective February 22, 2008.

DBGS00184 Confidential Assistant to the Chief of Staff. Effective February 28, 2008.

DBGS00604 Deputy Director, Office of International Affairs to the Director, International Affairs Office. Effective February 28, 2008.

DBGS00662 Deputy Assistant Secretary to the Assistant Secretary, Office of Communications and Outreach. Effective February 28, 2008.

DBGS00222 Confidential Assistant to the Director, Scheduling and Advance Staff. Effective February 29, 2008.

Section 213.3325 United States Tax Court

JCGS60070 Trial Clerk to the Chief Judge. Effective February 11, 2008.

JCGS60055 Secretary (Confidential Assistant) to the Chief Judge. Effective February 29, 2008.

Section 213.3331 Department of Energy

DEGS00637 Assistant Press Secretary to the Director, Public Affairs. Effective February 01, 2008.

DEGS00638 Public Affairs Specialist to the Director of Congressional Intergovernmental and Public Affairs. Effective February 05, 2008.

DEGS00639 Case Analyst to the Director, Investment Security. Effective February 27, 2008.

DEGS00640 Trip Coordinator to the Director, Office of Scheduling and Advance. Effective February 28, 2008.

Section 213.3332 Small Business Administration

SBGS00649 Senior Advisor to the Associate Administrator for Capital Access. Effective February 05, 2008.

SBGS00652 Congressional Liaison to the Assistant Administrator for Congressional and Legislative Affairs. Effective February 05, 2008.

SBGS00190 Deputy Chief of Staff to the Chief of Staff. Effective February 12, 2008.

SBGS00650 Senior Advisor to the Deputy Administrator. Effective February 12, 2008.

SBGS00653 Deputy General Counsel to the General Counsel. Effective February 22, 2008.

Section 213.3360 Consumer Product Safety Commission

PSGS60064 Special Assistant (Legal) to a Commissioner. Effective February 15, 2008.

PSGS72150 Staff Assistant to a Commissioner. Effective February 15, 2008.

Section 213.3384 Department of Housing and Urban Development

DUGS60179 Advance Coordinator to the Director of Executive Scheduling. Effective February 07, 2008.

DUGS60249 Congressional Relations Assistant to the Assistant Secretary for Congressional and Intergovernmental Relations. Effective February 07, 2008.

DUGS60522 Deputy Assistant Secretary for Grant Programs to the Assistant Secretary for Community Planning and Development. Effective February 08, 2008.

Section 213.3393 Pension Benefit Guaranty Corporation

BGSL00096 Chief of Staff to the Interim Director. Effective February 05, 2008.

Section 213.3394 Department of Transportation

DTGS60258 Associate Director for Governmental Affairs to the Assistant Secretary for Governmental Affairs. Effective February 05, 2008.

DTGS60192 Special Assistant to the Assistant to the Secretary and Director of Public Affairs. Effective February 12, 2008.

DTGS60197 Confidential Assistant to the Chief of Staff. Effective February 12, 2008.

DTOT00240 Deputy Assistant Administrator for Communications to the Assistant Administrator for Communications. Effective February 13, 2008.

DTGS60129 Counselor to the General Counsel. Effective February 29, 2008.

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.

U.S. Office of Personnel Management.
Howard C. Weizmann,
Deputy Director.
 [FR Doc. E8–7157 Filed 4–4–08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–57589; File No. SR–Amex–2008–09]

Self-Regulatory Organizations; American Stock Exchange LLC; Order Approving Proposed Rule Change, as Modified by Amendment No. 1 Thereto, Relating to Options Linkage Fees

April 1, 2008.

I. Introduction

On February 8, 2008, the American Stock Exchange LLC (“Amex” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b–4 thereunder,² a proposed rule change relating to fees for trades executed through the intermarket options linkage (the “Options Linkage”). On February 19, 2008, Amex submitted Amendment No. 1 to the proposed rule change. The proposed rule change was published for comment in the **Federal Register** on

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

February 28, 2008.³ The Commission received no comments on the proposal. This order approves the proposed rule change, as amended.

II. Description of the Proposal

The Exchange proposes to clarify the application of options transaction fees for trades executed through the Options Linkage on the Exchange. Currently, the Amex Options Fee Schedule (the "Options Fee Schedule") provides that, under the Linkage Fee Pilot Program that is effective through July 31, 2008, the fees applicable to specialists, registered options traders, and market maker apply to members of other options exchanges ("Non-Member Market Makers") executing Linkage transactions except for Satisfaction Orders. As a result, the fees for Principal Orders ("P Orders") and Principal Acting As Agent Orders ("P/A Orders") (collectively, "Linkage Orders") submitted through the Options Linkage are: (i) \$0.10 per contract side options transaction fee for equity options, exchange traded fund share ("ETF") options, QQQQ options and trust issued receipt options; (ii) \$0.21 per contract side options transaction fee for index options (including MNX and NDX options); (iii) \$0.05 per contract side options comparison fee; (iv) \$0.05 per contract side options floor brokerage fee; and (v) an options licensing fee for certain ETF and index option products ranging from \$0.15 per contract side to \$0.05 per contract side depending on the particular ETF or index option.⁴

The Options Fee Schedule also provides that broker-dealer orders that are automatically executed on the Exchange are subject to Broker-Dealer Auto-Ex Fees ("BD Auto-Ex Fee") that include: (i) \$0.50 per contract side options transaction fee for equity options, ETF options, QQQQ options and trust issued receipt options; (ii) \$0.05 per contract side options comparison fee; and (iii) \$0.05 per contract side options floor brokerage fee.⁵ Broker-dealer orders that are subject to the BD Auto-Ex Fee include specialist orders, registered options trader orders, Non-Member Market Maker orders, and orders for the account of registered broker-dealers. The Exchange charges this fee to member

firms through customary monthly billing. The BD Auto-Ex Fee was implemented prior to the introduction and roll-out of the Options Linkage which commenced on January 31, 2003 in two phases. The entire roll-out of the Options Linkage was completed by July 2003.

The Exchange in this proposal seeks to clarify the Options Fee Schedule to make clear that automatically executed Linkage Orders will be charged the BD Auto Ex Fee that includes: (i) \$0.50 per contract side options transaction fee; (ii) \$0.05 per contract side options comparison fee; and (iii) \$0.05 per contract side options floor brokerage fee. Accordingly, the total transaction fee for such orders would be \$0.60 per contract side. In contrast to the initial period of time when the Options Linkage was introduced, most Linkage Orders on the Exchange are automatically executed via the ANTE platform. In the Notice, the Exchange acknowledged that the current Options Fee Schedule does not clearly reflect the fact that for automatically executed Linkage Orders, the BD Auto-Ex Fee would apply.

III. Discussion and Commission Findings

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.⁶ In particular, the Commission finds that the proposal is consistent with Section 6(b)(4) of the Act,⁷ which requires that an exchange have rules that provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

Under the current Options Fee Schedule, only non-Linkage Orders on the behalf of broker-dealers automatically executed orders in ANTE are subject to the BD Auto-Ex Fee; Linkage Orders that are automatically executed orders in ANTE are not subject to the BD Auto-Ex Fee. The Exchange proposed to clarify that all automatically executed orders in ANTE, whether Linkage Orders or non-Linkage Orders on the behalf of broker-dealers, are subject to the BD Auto-Ex Fee set forth in the Options Fee Schedule. Accordingly, the Commission believes that the Exchange's proposed Options Fee Schedule clearly sets forth the fees imposed on Linkage Orders.

The Commission notes that the Exchange acknowledges that prior versions of its Options Fee Schedule did not represent that the \$.60 per side BD Auto-Ex Fee was applied to electronically executed Linkage Orders. Because the Exchange may have assessed the BD Auto-Ex Fee on Linkage Orders prior to this approval and, therefore, without authority, any parties assessed the BD Auto-Ex Fee for Linkage Orders prior to the approval of this proposed rule change may seek reimbursement. In addition, the Commission notes that the Options Linkage fees are assessed pursuant to a pilot scheduled to end on July 31, 2008 and that the Commission is continuing to evaluate whether such fees are appropriate.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁸ that the proposed rule change (SR-Amex-2008-09) is hereby approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E8-7121 Filed 4-4-08; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57594; File No. SR-BSE-2008-17]

Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Quarterly Options Series Pilot Program To Permit the Listing of Additional Series

April 1, 2008.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 28, 2008, the Boston Stock Exchange, Inc. ("Exchange" or "BSE") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange has designated this proposal as non-controversial under Section 19(b)(3)(A)(iii) of the Act³ and

³ See Securities Exchange Act Release No. 57373 (February 22, 2008), 73 FR 10835 ("Notice").

⁴ See Options Fee Schedule section of the Amex Price List available at <http://www.amex.com>. See also Securities Exchange Act Release No. 56102 (July 19, 2007), 72 FR 40908 (July 25, 2007) (SR-Amex-2007-64).

⁵ See Securities Exchange Act Release No. 47216 (January 17, 2003), 68 FR 5059 (January 31, 2003) (SR-Amex-2002-114).

⁶ In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁷ 15 U.S.C. 78f(b)(4).

⁸ 15 U.S.C. 78s(b)(2).

⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).