Commission, Printing and Graphics Branch, Washington, DC 20555–0001; facsimile: 301–415–2289; e-mail: *Distribution@nrc.gov*.

FOR FURTHER INFORMATION CONTACT: Torre Taylor, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–7900, e-mail: *tmt@nrc.gov*; or Donna-Beth Howe, Ph.D., Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–7848, e-mail: *dbh@nrc.gov*.

SUPPLEMENTARY INFORMATION: On August 8, 2005, the President signed into law the Energy Policy Act of 2005 (EPAct). Among other provisions, Section 651(e) of the EPAct expanded the definition of byproduct material as defined in Section 11e. of the Atomic Energy Act of 1954 (AEA), placing additional byproduct material under the NRC's jurisdiction, and required the Commission to provide a regulatory framework for licensing and regulating these additional byproduct materials.

Specifically, Section 651(e) of the EPAct expanded the definition of byproduct material by: (1) Adding any discrete source of radium–226 that is produced, extracted, or converted after extraction, before, on, or after the date of enactment of the EPAct for use for a commercial, medical, or research activity; or any material that has been made radioactive by use of a particle accelerator and is produced, extracted, or converted after extraction, before, on, or after the date of enactment of the EPAct for use for a commercial, medical, or research activity (Section 11e.(3) of the AEA); and (2) adding any discrete source of naturally occurring radioactive material, other than source material, that the Commission, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department of Homeland Security, and the head of any other appropriate Federal agency, determines would pose a threat similar to the threat posed by a discrete source of radium–226 to the public health and safety or the common defense and security; and is extracted or converted after extraction before, on, or after the date of enactment of the EPAct for use in a commercial, medical, or research activity (Section 11e.(4) of the AEA).

NRC revised its regulations to provide a regulatory framework that includes these newly added radioactive materials. See **Federal Register** notice 72 FR 55864, dated October 1, 2007. As part of the rulemaking effort to address the mandate of the EPAct, the NRC also evaluated the need to revise certain licensing guidance to provide necessary guidance to applicants in preparing license applications to include the use of the newly added radioactive materials as byproduct material. Two NUREG–1556 documents have been revised to provide additional guidance to licensees: (1) NUREG–1556, Volume 13, Revision 1, ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Commercial Radiopharmacy Licenses,'' and (2) NUREG–1556, Volume 9, Revision 2, ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Medical Use Licenses.'' Additionally, a new NUREG–1556 volume was developed to address production of radioactive material using an accelerator. This NUREG–1556 volume is entitled: Volume 21, ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Possession Licenses for Production of Radioactive Material Using an Accelerator. ''

NUREG–1556, Volume 9, Revision 2, provides guidance for applicants in preparing their license applications for the medical use of byproduct material. Volume 9 has been revised primarily to provide additional guidance related to the NARM rule, including guidance about consortiums and noncommercial distribution. It is also revised to clarify training and experience requirements, and to replace NRC Form 313A with six new NRC Form 313A forms specific to types of authorizations. References and information related to Subpart J of 10 CFR Part 35 have been removed since these regulatory requirements expired on October 25, 2005. Additionally, other minor changes were made that are administrative in nature, such as updating the Agreement State section and updating references. Also, information related to identifying and protecting sensitive information was updated.

NUREG–1556, Volume 9, Revision 2, ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Medical Use Licenses,'' was noticed for public comment on August 2, 2007 (72 FR 42442).

The remaining two NUREG–1556 volumes were noticed for public comment separately: (1) NUREG–1556, Volume 21, on May 29, 2007 (72 FR 29555), and (2) NUREG–1556, Volume 13, Revision 1, on July 3, 2007 (72 FR 36526). NUREG–1556, Volume 21 was finalized and published in October 2007. NUREG–1556, Volume 13, Revision 1, was finalized and published in November 2007.

Dated at Rockville, Maryland, this 5th day of February, 2008.

For the Nuclear Regulatory Commission.

Dennis K. Rathbun,

Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs.

[FR Doc. E8–2946 Filed 2–14–08; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Anti-Counterfeiting Trade Agreement (ACTA): Request for Public Comments

AGENCY: Office of the United States Trade Representative.

ACTION: Request for written submissions from the public.

SUMMARY: The Office of the United States Trade Representative (USTR) seeks to negotiate an anti-counterfeiting trade agreement to strengthen international cooperation, enforcement practices, and participants' legal frameworks to address counterfeiting and piracy. USTR requests written comments from the public concerning specific matters that should be the focus of such an agreement.

DATES: Submissions must be received on or before 5 p.m. on Friday, March 21, 2008.

ADDRESS: All comments should be sent (i) electronically, to the following *e-mail address: ACTA@ustr.eop.gov*, with ''Anti-Counterfeiting Trade Agreement (ACTA): Request for Public Comments'' in the subject line, or (ii) by fax, to Rachel Bae, at (202) 395–3891, with a confirmation copy sent electronically to the e-mail address above.

FOR FURTHER INFORMATION CONTACT: Rachel S. Bae, Director for Intellectual Property and Innovation, Office of the United States Trade Representative, at (202) 395–4510.

SUPPLEMENTARY INFORMATION: On October 23, 2008, USTR announced that the United States, along with a group of trading partners, would pursue negotiation of a new Anti-Counterfeiting Trade Agreement (ACTA) to provide international leadership in the fight against IPR counterfeiting and piracy. The United States and other interested parties intend to seek an agreement with provisions in three main areas:

international cooperation, enforcement practices, and the legal framework for IPR enforcement.

A principal goal of the ACTA would be to establish, among governments committed to strong IPR protection, a common standard for IPR enforcement to combat global infringements of IPR particularly in the context of counterfeiting and piracy that addresses today's challenges, in terms of increasing international cooperation, strengthening the framework of practices that contribute to effective enforcement of IPRs, and strengthening relevant IPR enforcement measures themselves. A fact sheet providing further details on the ACTA can be found on the USTR Web site at: *http://www.ustr.gov/assets/Document_Library/Reports_Publications/2007/asset_upload_file122_13414.pdf.*

Requirements for Comments: Comments should address specific matters that should be covered by the ACTA in the areas of (a) international cooperation; (b) enforcement practices; and (c) legal framework. Comments should be as detailed as possible.

Comments must be in English. No submissions will be accepted via postal service mail. Documents should be submitted as either WordPerfect, MS Word, Adobe, or text (.TXT) files. Supporting documentation submitted as spreadsheets is acceptable as Quattro Pro or Excel files. A submitter requesting that information contained in a comment be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. A non-confidential version of the comment must also be provided. For any document containing business confidential information, the file name of the business confidential version should begin with the characters ''BC-'', and the file name of the public version should begin with the character ''P-''. The ''P-'' or ''BC-'' should be followed by the name of the submitter. Submissions should not include separate cover letters; information that might appear in a cover letter should be included in the submission itself. To the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

All comments should be sent (i) electronically, to the following e-mail address: ACTA@ustr.eop.gov, with ''Anti-Counterfeiting Trade Agreement (ACTA): Request for Comments'' in the subject line, or (ii) by fax, to Rachel Bae, at (202) 395–9458, with a confirmation copy sent electronically to the e-mail address above.

Public Inspection of Submissions: Within one business day of receipt, non-confidential submissions will be placed in a public file, open for inspection at the USTR reading room, Office of the United States Trade Representative, Annex Building, 1724 F Street, NW., Room 1, Washington, DC. An appointment to review the file must be scheduled at least 48 hours in advance and may be made by calling Jacqueline Caldwell at (202) 395–6186. The USTR reading room is open to the public from 10 a.m. to 12 noon and from 1 p.m. to 4 p.m., Monday through Friday.

Stanford K. McCoy,

Acting Assistant USTR for Intellectual Property and Innovation.

[FR Doc. E8–2944 Filed 2–14–08; 8:45 am]

BILLING CODE 3190–W8–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Rule 12d3–1; SEC File No. 270–504; OMB Control No. 3235–0561.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget for extension and approval.

Section 12(d)(3) of the Investment Company Act of 1940 (15 U.S.C. 80a) generally prohibits registered investment companies (''funds''), and companies controlled by funds, from purchasing securities issued by a registered investment adviser, broker, dealer, or underwriter (''securities-related businesses''). Rule 12d3–1 ''Exemption of acquisitions of securities issued by persons engaged in securities related businesses'' (17 CFR 270.12d3–1) permits a fund to invest up to five percent of its assets in securities of an issuer deriving more than fifteen percent of its gross revenues from securities-related businesses, but a fund may not rely on rule 12d3–1 to acquire securities of its own investment adviser or any affiliated person of its own investment adviser.

A fund may, however, rely on an exemption in rule 12d3–1 to acquire securities issued by its subadvisers in circumstances in which the subadviser would have little ability to take advantage of the fund, because it is not in a position to direct the fund's securities purchases. The exemption in rule 12d3–1(c)(3) is available if (i) the subadviser is not, and is not an affiliated person of, an investment adviser that provides advice with respect to the portion of the fund that is acquiring the securities, and (ii) the advisory contracts of the subadviser, and any subadviser that is advising the purchasing portion of the fund, prohibit them from consulting with each other concerning securities transactions of the fund, and limit their responsibility in providing advice with respect to discrete portions of the fund's portfolio.

The Commission staff estimates that 3583 portfolios of approximately 649 fund complexes use the services of one or more subadvisers. Based on discussions with industry representatives, the staff estimates that it requires approximately 6 hours to draft and execute revised subadvisory contracts allowing funds and subadvisers to rely on the exemptions in rule 17a–10.[1] The staff assumes that all existing funds amended their advisory contracts following the adoption of rule 17a–10 in 2002 that conditioned certain exemptions upon these contractual alterations, and therefore there is no continuing burden for those funds.[2]

Based on an analysis of fund filings, the staff estimates that approximately 600 fund portfolios enter into subadvisory agreements each year.[3] Based on discussions with industry representatives, the staff estimates that it will require approximately 3 attorney hours[4] to draft and execute additional

[1] Rules 12d3–1, 10f–3, 17a–10, and 17e–1 require virtually identical modifications to fund advisory contracts. The Commission staff assumes that funds would rely equally on the exemptions in these rules, and therefore the burden hours associated with the required contract modifications should be apportioned equally among the four rules.

[2] We assume that funds formed after 2002 that intended to rely on rule 17a–10 would have included the contract provision in their initial subadvisory contracts.

[3] The use of subadvisers has grown rapidly over the last several years, with approximately 600 portfolios that use subadvisers registering between December 2005 and December 2006. Based on information in Commission filings, we estimate that 31 percent of funds are advised by subadvisers.

[4] The Commission staff's estimates concerning the wage rates for attorney time are based on salary information for the securities industry compiled by the Securities Industry Association. The $292 per hour figure for an attorney is from the SIA Report

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