

execution (total of \$0.0002 per share) instead of capturing the maker/taker spread of –\$0.0001 per share.

As mentioned above, when the Exchange launched in July 2010, this spread was zero (0). This increased fee per side of an execution (\$0.0001 per side instead of free) thus brings the internalization fee in line with the current maker/taker spreads.<sup>12</sup> The Exchange believes that the proposed fee is non-discriminatory in that it applies uniformly to all Members.

The Exchange believes that the proposed increased fee to \$0.0012 per share for the “MT” flag for routing to EDGX MPM using the IOCM routing strategy represents an equitable allocation of reasonable dues, fees, and other charges as such increased fee offsets the Exchange’s administrative and other operational costs. The fee increase represents a pass through by EDGA to its members of EDGX’s increased fee (from \$0.0010 to \$0.0012 per share) for removing liquidity from EDGX MPM, effective May 1, 2011. The \$0.0012 per share is competitive and superior to comparable exchange standard removal rates of \$0.0030 per share (Nasdaq), \$0.0030 per share (NYSE Arca), \$0.0023 per share (NYSE), and \$0.0028 per share (BATS BZX). The fee is also equitable as it is competitive with other fees assessed for routing strategies that access low cost destinations, such as ROUZ, as defined in Rule 11.9(b)(3)(c)(v) (yields Flag Z, \$0.0010 per share) and ROUD/ROUE, as defined in Rules 11.9(b)(3)(b) and 11.9(b)(3)(c)(i) (Flag T, \$0.0012 per share). The Exchange believes that the proposed fee is non-discriminatory in that it applies uniformly to all Members.

The proposed rule change reflects a competitive pricing structure designed to incent market participants to direct their order flow to the Exchange. The Exchange believes that the proposed rates are non-discriminatory in that they apply uniformly to all Members. 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 Members.

#### *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.

<sup>12</sup> The Exchange will continue to ensure that the internalization fee is no more favorable than each prevailing maker/taker spread.

#### *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>13</sup> and Rule 19b-4(f)(2)<sup>14</sup> thereunder. At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend 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-2011-14 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-2011-14. 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,<sup>15</sup> all subsequent

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>14</sup> 17 CFR 19b-4(f)(2).

<sup>15</sup> The text of the proposed rule change is available on 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.

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-2011-14 and should be submitted on or before June 1, 2011.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. 2011-11456 Filed 5-10-11; 8:45 am]

**BILLING CODE 8011-01-P**

## **SMALL BUSINESS ADMINISTRATION**

### **Small Business Size Standards: Waiver of the Nonmanufacturer Rule**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice of Waiver to the Nonmanufacturer Rule for GEN II and GEN III Image Intensifier Tubes.

**SUMMARY:** The U. S. Small Business Administration (SBA) is granting a class waiver of the Nonmanufacturer Rule for GEN II and GEN III Image Intensifier Tubes, Product Service Code (PSC) 5855, Night Vision Equipment under North American Industry Classification System (NAICS) code 333314 (Optical Instrument and Lens Manufacturing). The basis for the waiver is that no small business manufacturers are supplying this class of products to the Federal government. The effect of this waiver will be to allow otherwise qualified small businesses to supply the products of any manufacturer on a Federal contract set aside for small businesses, Service-Disabled Veteran-Owned (SDVO) small businesses, Participants

<sup>16</sup> 17 CFR 200.30-3(a)(12).

in SBA's 8(a) Business Development (BD) Program, or Women-Owned Small Business (WOSB) concerns.

**DATES:** This waiver is effective May 26, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Garcia, Procurement Analyst, by telephone at (202) 205-6842; by Fax at (202) 481-1630; or by e-mail at amy.garcia@sba.gov.

**SUPPLEMENTARY INFORMATION:** Section 8(a)(17) of the Small Business Act (Act), 15 U.S.C. 637(a)(17), and SBA's implementing regulations require that recipients of Federal supply contracts set aside for small businesses, SDVO small businesses, Participants in the SBA's 8(a) BD Program, or WOSBs, provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. This requirement is commonly referred to as the Nonmanufacturer Rule. 13 CFR 121.406(b), 125.15(c), 127.505. Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

In order to be considered available to participate in the Federal market for a class of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal Government within the last 24 months. 13 CFR 121.1202(c). The SBA defines "class of products" based on the Office of Management and Budget's NAICS.

The SBA received a request on August 13, 2010, to waive the Nonmanufacturer Rule for GEN II and GEN III Image Intensifier Tubes under Product Service Code (PSC) 5855, Night Vision Equipment, Emitted and Reflected Radiation, under North American Industry Classification System (NAICS) code 333314 (Optical Instrument and Lens Manufacturing).

On August 27, 2010, SBA published in the **Federal Register** a notice of intent to waive the Nonmanufacturer Rule for the above listed item. 75 FR 21427 (2010). SBA explained in the notice that it was soliciting comments and sources of small business manufacturers of this class of products. In addition, SBA conducted market research using the Dynamic Small Business Search (DSBS) database and no small business manufacturers that participate in the Federal market were identified. Lastly, on September 16, 2010, SBA posted a Sources Sought notice on <http://www.fbo.gov> that it was soliciting

comments and sources of small business manufacturers of this class of products.

In response to these notices, SBA received comments from fourteen (14) sources. One respondent, a large business, was identified as a manufacturer of GEN III image intensifier tubes. Thirteen (13) respondents were identified as small business suppliers, distributors, or integrators of GEN II and/or GEN III image intensifier tubes, night vision systems and/or related equipment. Of these respondents, three (3) sources requested that additional related items be considered for waiver: PVS-14, PVS-17, and AVS-9 night vision systems. However, SBA has identified, through market research, and as a result of findings in this case, that one or more small business manufacturers or component assemblers exist for PVS-14, PVS-17, and AVS-9 night vision systems, and, as such, these items do not qualify to be waived under the Nonmanufacturer Rule. 13 CFR 121.406(b), 125.15(c), 127.505. One (1) respondent claimed to be a small business manufacturer of GEN II image intensifier tubes. However, upon further investigation, the source does not qualify as a manufacturer under 13 CFR 121.406(b). Thus, no small business manufacturers of GEN II or GEN III image intensifier tubes that participate in the Federal market were identified.

Consequently, SBA has determined that there are no small business manufacturers of these classes of products, and is therefore granting the waiver of the Nonmanufacturer Rule for GEN II and GEN III Image Intensifier Tubes under PSC 5855, Night Vision Equipment, NAICS code 333314 (Optical Instrument and Lens Manufacturing).

Dated: April 29, 2011.

**John W. Klein,**

*Director, Office of Government Contracting.*

[FR Doc. 2011-11142 Filed 5-10-11; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice: 7451]

### 30-Day Notice of Proposed Information Collection: Medical Examination Forms for Immigrant or Refugee Applicants

**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:** Medical Examination for Immigrant or Refugee Applicant.

• **OMB Control Number:** 1405-0113.

• **Type of Request:** Revision of a Currently Approved Collection.

• **Originating Office:** Bureau of Consular Affairs, Office of Visa Services (CA/VO).

• **Form Number:** DS-2053, DS-2054, DS-3030, DS-3024, DS-3025, DS-3026.

• **Respondents:** Immigrant visa and refugee applicants.

• **Estimated Number of Respondents:** 630,000 per year.

• **Estimated Number of Responses:** 630,000 per year.

• **Average Hours per Response:** 1 hour.

• **Total Estimated Burden:** 630,000 hours annually.

• **Frequency:** Once per application.

• **Obligation to Respond:** Required to Obtain Benefit.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from May 11, 2011.

**ADDRESSES:** Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

• **E-mail:**

[oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

• **Fax:** 202-395-5806. Attention: Desk Officer for Department of State.

**FOR FURTHER INFORMATION CONTACT:** You may obtain copies of the proposed information collection and supporting documents from Stefanie Claus of the Office of Visa Services, U.S. Department of State, 2401 E. Street, NW. L-603, Washington, DC 20522, who may be reached at (202) 663-2910.

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

• Evaluate whether the proposed information collection is necessary to properly perform 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.

**Abstract of proposed collection:** INA Section 221(d) requires that prior to the