

number of Non-Industry Directors on the committee equal or exceed the number of Industry Directors. The proposed compositional requirement for the committee with regard to the balance between Industry Directors and Non-Industry Directors would be the same as that already provided for in the NASDAQ OMX By-Laws with respect to the Executive Committee and the Nominating and Governance Committee, as well as the full Board of Directors.

According to the SROs, the proposed changes will provide NASDAQ OMX with a greater flexibility with regard to populating a committee that includes directors with relevant expertise and that is not excessively large in relation to the size of the full Board of Directors, while continuing to ensure that directors associated with Exchange members and other broker-dealers do not exert disproportionate influence of the governance of NASDAQ OMX.<sup>6</sup>

### III. Discussion and Commission Findings

The Commission has reviewed carefully the proposed rule changes and finds that the proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange or a registered clearing agency.<sup>7</sup> In particular, the Commission finds that the proposed rule changes are consistent with Section 6(b) of the Act,<sup>8</sup> which, among other things, requires a national securities exchange to be so organized and have the capacity to be able to carry out the purposes of the Act and to enforce compliance by its members and persons associated with its members with the provisions of the Act, the rules and regulations thereunder, and the rules of the exchange, and is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Commission also finds that the proposed rule changes are consistent with Section 17A of the Act<sup>9</sup> because the proposed rule changes will help ensure that BSECC and SCCP are so organized and have the capacity to comply with the provisions of the Act

and the rules and regulations thereunder.

The proposed changes to the composition requirement of NASDAQ OMX's Management Compensation Committee are identical to the composition requirements currently in effect for the Executive Committee, Nominating and Governance Committee, and full Board of Directors of NASDAQ OMX.<sup>10</sup> Furthermore, the NASDAQ OMX Management Compensation Committee is required to be comprised of Independent Directors (as defined in NASDAQ's rules).<sup>11</sup>

### IV. Conclusion

For the foregoing reasons, the Commission finds that the proposed rule changes are consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange and a registered clearing agency.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act<sup>12</sup> that the proposed rule changes (SR-BSECC-2012-001; SR-BX-2012-052; SR-NASDAQ-2012-072; SR-Phlx-2012-95; and SR-SCCP-2012-01), are approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Kevin M. O'Neill,**  
*Deputy Secretary.*

[FR Doc. 2012-21902 Filed 9-5-12; 8:45 am]

**BILLING CODE 8011-01-P**

## SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA 2012-0016]

### Privacy Act of 1974, as Amended; Computer Matching Program (Social Security Administration (SSA)/ Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA))—Match Number 1309

**AGENCY:** SSA.

**ACTION:** Notice of a renewal of an existing computer matching program that will expire on October 1, 2012.

**SUMMARY:** In accordance with the provisions of the Privacy Act, as amended, this notice announces a renewal of an existing computer matching program that we are currently conducting with VA/VBA.

<sup>10</sup> See Sections 4.3, 4.13(d) and 4.13(h)(1) of NASDAQ OMX By-Laws.

<sup>11</sup> See NASDAQ Rule 5605(d). Rule 5605(d) provides that the compensation committees of NASDAQ-listed companies must be comprised solely of Independent Directors. NASDAQ OMX is a NASDAQ-listed company.

<sup>12</sup> *Id.*

<sup>13</sup> 17 CFR 200.30-3(a)(12).

**DATES:** We will file a report of the subject matching program with the Committee on Homeland Security and Governmental Affairs of the Senate; the Committee on Oversight and Government Reform of the House of Representatives; and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

**ADDRESSES:** Interested parties may comment on this notice by either telefaxing to (410) 966-0869 or writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, SSA, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401. All comments received will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** The Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, SSA, as shown above.

### SUPPLEMENTARY INFORMATION:

#### A. General

The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503) amended the Privacy Act (5 U.S.C. 552a) by describing the conditions under which computer matching involving the Federal government could be performed and by adding certain protections for persons applying for, and receiving, Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such persons.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain the approval of the matching agreement by the Data Integrity Boards of the participating Federal agencies;
- (3) Publish notice of the computer matching program in the **Federal Register**;
- (4) Furnish detailed reports about matching programs to Congress and OMB;
- (5) Notify applicants and beneficiaries that their records are subject to matching; and
- (6) Verify match findings before reducing, suspending, terminating, or denying a person's benefits or payments.

<sup>6</sup> See, e.g., NASDAQ Notice, 77 FR at 39752.

<sup>7</sup> In approving the proposed rule changes, the Commission has considered their impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>8</sup> 15 U.S.C. 78f(b).

<sup>9</sup> 15 U.S.C. 78q-1.

## B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of our computer matching programs comply with the requirements of the Privacy Act, as amended.

**Dawn S. Wiggins,**

*Acting Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.*

Notice of Computer Matching Program, SSA with the Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA).

## A. Participating Agencies

SSA and VA/VBA.

## B. Purpose of the Matching Program

The purpose of this matching program is to establish the conditions under which VA will disclose VA compensation and pension payment data to us. This disclosure will provide us with information necessary to verify an individual's self-certification of eligibility for the Extra Help with Medicare Prescription Drug Plan Costs program (Extra Help). It will also enable us to identify individuals who may qualify for Extra Help.

## C. Authority for Conducting the Matching Program

The legal authority for VA to disclose information under this agreement is 42 U.S.C. 1383(f) of the Social Security Act (Act). The legal authority for us to conduct this computer matching program is 1860D-14(a)(3) (42 U.S.C. 1395w-114), and 1144(a)(1) and (b)(1) (42 U.S.C. 1320b-14) of the Act.

## D. Categories of Records and Persons Covered by the Matching Program

### 1. Systems of Records

VA will provide us with electronic files containing compensation and pension payment data from its system of records (SOR) entitled "Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records-VA" (58VA21/22/28), published at 74 FR 29275 (last amended April 27, 2010). Routine use 20 for VA permits the disclosure of this information.

We will match the VA data with data in our Medicare Database (MDB), SOR 60-0321, last published at 71 FR 42159 (July 25, 2006).

### 2. Number of Records

VA's data file will consist of approximately 4.9 million electronic records and VA will transmit it monthly. Our comparison file contains approximately 65 million records obtained from the MDB. The number of

people who apply for Extra Help determines in part the number of records matched.

### 3. Specified Data Elements

We will conduct the match using the Social Security number, name, date of birth, and VA claim number on both the VA file and the MDB.

### 4. Frequency of Matching

VA will furnish us with an electronic file containing VA compensation and pension payment data monthly. The actual matching will take place approximately during the first week of every month.

### E. Inclusive Dates of the Matching Program

The effective date of this matching program is October 2, 2012, provided that the following notice periods have lapsed: 30 days after publication of this notice in the **Federal Register** and 40 days after notice of the matching program is sent to Congress and OMB. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met.

[FR Doc. 2012-21929 Filed 9-5-12; 8:45 am]

**BILLING CODE 4191-02-P**

## DEPARTMENT OF STATE

### [Public Notice 8015]

**Designation of the Communist Party of Nepal (Maoist) as a Specially Designated Global Terrorist; In the Matter of the Designation of The Communist Party of Nepal (Maoist) Also Known as United Revolutionary People's Council Also Known as People's Liberation Army of Nepal Also Known as CPN(M) as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended**

Acting under the authority of Section 1(b) of Executive Order 13224 of September 23, 2001, as amended ("the Order"), I hereby revoke the designation of the entity known as the Communist Party of Nepal (Maoist), also known as United Revolutionary People's Council, also known as People's Liberation Army of Nepal, also known as CPN(M), as a Specially Designated Global Terrorist pursuant to Section 1(b) of the Order.

This notice shall be published in the **Federal Register**.

Dated: August 28, 2012.

**Wendy R. Sherman,**

*Under Secretary of State for Political Affairs.*

[FR Doc. 2012-21970 Filed 9-5-12; 8:45 am]

**BILLING CODE 4710-10-P**

## DEPARTMENT OF STATE

### [Public Notice 8016]

**In the Matter of the Designation of The Communist Party of Nepal (Maoist) Also Known as United Revolutionary People's Council Also Known as People's Liberation Army of Nepal Also Known as CPN(M) Pursuant to Section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (INA), as Amended**

Acting under the authority of Section 212(a)(3)(B)(vi)(II) of the INA, I hereby revoke the designation of the Communist Party of Nepal (Maoist), also known as United Revolutionary People's Council, also known as People's Liberation Army of Nepal, also known as CPN(M), as a "terrorist organization" under Section 212(a)(3)(B)(vi)(II) of the INA.

This notice shall be published in the **Federal Register**.

Dated: August 28, 2012.

**Wendy R. Sherman,**

*Under Secretary of State for Political Affairs.*

[FR Doc. 2012-21975 Filed 9-5-12; 8:45 am]

**BILLING CODE 4710-10-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

**Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending August 18, 2012**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2012-0138.