

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NASDAQ-2012-108 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-NASDAQ-2012-108. This file number should be included on the subject line if email 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 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-NASDAQ-2012-108 and should be submitted on or before November 1, 2012.

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. 2012-24968 Filed 10-10-12; 8:45 am]

**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION****[Disaster Declaration #13288 and #13289]****California Disaster #CA-00190**

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

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Administrative declaration of a disaster for the State of California dated 09/14/2012.

*Incident:* Brawley Earthquakes.

*Incident Period:* 08/26/2012 through 09/09/2012.

*Effective Date:* 10/03/2012.

*Physical Loan Application Deadline Date:* 11/13/2012.

*Economic Injury (EIDL) Loan Application Deadline Date:* 06/14/2013.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the Administrator's disaster declaration for the State of California, dated 09/14/2012 I hereby amended to establish the incident period for this disaster as beginning on 08/26/2012 and continuing through 09/09/2012.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: October 3, 2012.

**Karen G. Mills,**  
*Administrator.*

[FR Doc. 2012-24950 Filed 10-10-12; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF STATE****[Public Notice 8059]**

**30-Day Notice of Proposed Information Collection: Petition To Classify Special Immigrant as an Employee or Former Employee of the U.S. Government Abroad**

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the information collection request described below to the Office of Management and Budget (OMB) for approval. In accordance with the

Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations.

**DATE(S):** Submit comments directly to the Office of Management and Budget (OMB) up to November 13, 2012.

**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:

- *Email:* [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 Sydney Taylor, Office of Visa Services, U.S. Department of State, 2401 E. Street NW., L-630, Washington, DC who may be reached at 202-663-3721.

**SUPPLEMENTARY INFORMATION:**

- *Title of Information Collection:* Petition to Classify Special Immigrant Under INA 203(b)(4) as an employee or former employee of the U.S. Government Abroad

- *OMB Control Number:* 1405-0082

- *Type of Request:* Extension of a

Currently Approved Collection

- *Originating Office:* CA/VO/L/R

- *Form Number:* DS-1884

- *Respondents:* Aliens petitioning for immigrant visas under INA 203(b)(4) as a special immigrant described in INA section 101(a)(27)(D)

- *Estimated Number of Respondents:* 300

- *Estimated Number of Responses:* 300

- *Average Time per Response:* 10 minutes

- *Total Estimated Burden Time:* 50 hours

- *Frequency:* Once per petition

- *Obligation To Respond:* Required to obtain benefits

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.

- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

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

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

*Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.*

**Abstract of proposed collection:** DS-1884 solicits information from petitioners claiming employment-based immigrant visa preference under section 203(b)(4) of the Immigration and Nationality Act on the basis of qualification as a special immigrant described in INA section 101(a)(27)(D). A petitioner may file the DS-1884 petition within one year of notification by the Department of State that the Secretary has approved a recommendation that such special immigrant status be accorded to the alien. DS-1884 solicits information that will assist the consular officer in ensuring that the petitioner is statutorily qualified to receive such status, including meeting the years of service and exceptional service requirements.

**Methodology:** *This form can be obtained from posts abroad or through the Department's eForms intranet site. The application available through eForms allows the applicant to complete the application online and then print the application. Most applicants are current federal government employees abroad and have access to the intranet system. Once the form is printed, it is submitted to post.*

Dated: October 3, 2012.

**Don Heflin,**

*Acting Deputy Assistant Secretary, Visa Services, Bureau of Consular Affairs, Department of State.*

[FR Doc. 2012-25028 Filed 10-10-12; 8:45 am]

**BILLING CODE 4710-06-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

**Trade Policy Staff Committee: Request for Comments From the Public Regarding Granting Certain Trade Benefits to Aruba, Curaçao, Sint Maarten, the Turks and Caicos Islands, the Bahamas, Dominica, Grenada, Montserrat, St. Kitts and Nevis and St. Vincent and the Grenadines**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice and request for public comment.

**SUMMARY:** The Trade Policy Staff Committee (TPSC) is seeking comments from the public on whether Curaçao, Sint Maarten, and the Turks and Caicos Islands should be designated as eligible to receive benefits under the Caribbean Basin Economic Recovery Act (CBERA) as amended by the Caribbean Basin Trade Partnership Act (CBTPA) (19 U.S.C. 2701 *et seq.*) and whether Aruba, the Bahamas, Dominica, Grenada, Montserrat, St. Kitts and Nevis and St. Vincent and the Grenadines ("St. Vincent") should be designated as eligible to receive benefits under CBTPA. Although Congress identified the Turks and Caicos Islands as potentially eligible for benefits in 1983, the Turks and Caicos Islands did not request beneficiary status until July 2012. Similarly, although the Congress identified the Bahamas, Grenada, Montserrat, St. Kitts and Nevis and St. Vincent for benefits under CBERA in 1983 and CBTPA in 2000, these countries did not request benefits under CBTPA until 2012. Aruba was designated as a beneficiary country of CBERA benefits effective as of January 1, 1986 upon becoming independent of the Netherlands Antilles in 1986, and requested CBTPA benefits in October 2012. As a result of the dissolution of the Netherlands Antilles in October of 2010, Curaçao and Sint Maarten became successor political entities of the Netherlands Antilles and eligible to receive benefits as such. Curaçao and Sint Maarten requested the receipt of CBERA and CBTPA benefits in, respectively, July and June of 2012.

**DATES:** Comments are due no later than midnight, November 9, 2012.

**ADDRESSES:** USTR strongly prefers electronic submissions made at <http://www.regulations.gov>, docket number USTR-2012-0028 See "Requirements for Submission," below. If you are unable to make a submission at [www.regulations.gov](http://www.regulations.gov), please contact Don Eiss, Trade Policy Staff Committee, at (202) 395-3475 to make other arrangements.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning written comments, contact Don Eiss, Office of the United States Trade Representative, at (202) 395-3475. All other questions should be directed to Fran Huegel, Office of the Americas, Office of the United States Trade Representative, 600 17th Street NW., Room 523, Washington, DC 20508. Her telephone number is (202) 395-6135.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to submit comments on whether Curaçao, Sint Maarten, and the Turks and Caicos Islands meet or

fail to satisfy the eligibility criteria described in sections 212(b), 212(c), and 213(b)(5)(B) of the CBERA, as amended, and whether the Bahamas, Grenada, Montserrat, St. Kitts and Nevis and St. Vincent meet or fail to satisfy the eligibility criteria described in section 213(b)(5)(B) of the CBERA, as amended. Those criteria may be accessed at <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title19/html/USCODE-2011-title19-chap15.htm> and are summarized below.

### Eligibility Criteria for Designation as a Beneficiary Under CBERA and CBTPA

After a country, territory or successor political entity identified in the statute as a potential beneficiary country requests benefits under CBERA and CBTPA, the President must determine whether to designate it as a beneficiary under the two programs. The President shall consider only the specified countries, territories, or successor political entities. In determining whether to designate a country as a CBERA beneficiary country, the President must take into account the criteria contained in section 212(b) of the CBERA, which include whether the country, *inter alia*: (1) Is a Communist country; (2) has nationalized, expropriated or otherwise seized ownership or control of property owned by a United States citizen or by a corporation, partnership, or association which is 50 percent or more beneficially owned by United States citizens, or taken certain steps described in the statute that have such an effect, without proper compensation or arbitration of the dispute; (3) fails to act in good faith in enforcing arbitral awards in favor of United States citizens or a corporation, partnership or association which is 50 percent or more beneficially owned by United States citizens; (4) affords preferential treatment to the products of a developed country, other than the United States, which has, or is likely to have, a significant adverse effect on United States commerce; (5) owns an entity that engages in the broadcast of copyrighted material belonging to United States copyright owners without their express consent; (6) is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of United States citizens; and (7) has not or is not taking steps to afford internationally recognized worker rights (as defined in section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4))) to workers in the country.

The President must also take into account the criteria contained in section 212 (c) of the CBERA, which include, *inter alia*: (1) The economic conditions in such country; (2) the extent to which