

*Paper Comments*

• Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2007-34. 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, 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 inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of NYSE.

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-NYSE-2007-34 and should be submitted on or before May 8, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E7-7224 Filed 4-16-07; 8:45 am]  
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**DEPARTMENT OF STATE**

[Public Notice 5777]

**Determination and Waiver of Section 517(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (2006) (Pub. L. 109-102), as Carried Forward Under the Revised Continuing Appropriations Resolution, 2007 (Pub. L. 110-5), Relating to Assistance for the Independent States of the Former Soviet Union**

Pursuant to the authority vested in me as Deputy Secretary of State, including

by Section 517(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (2006) (Pub. L. 109-102), as Carried Forward Under the Revised Continuing Appropriations Resolution, 2007 (Pub. L. 110-5), Executive Order 13118 of March 31, 1999, and State Department Delegation of Authority No. 245 of April 23, 2001, I hereby determine that it is in the national security interest of the United States to make available funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" in Title II of the FOIA, as carried forward under the CR, without regard to the restriction in that section.

This determination shall be reported to the Congress promptly and published in the **Federal Register**.

Dated: April 4, 2007.

**John D. Negroponte,**  
*Deputy Secretary of State, Department of State.*

[FR Doc. E7-7273 Filed 4-16-07; 8:45 am]

BILLING CODE 4710-23-P

**DEPARTMENT OF STATE**

[Public Notice 5758]

**Defense Trade Advisory Group; Notice of Open Meeting**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Defense Trade Advisory Group (DTAG) will meet in open session from 9 a.m. to 12 noon on Thursday, September 20, 2007, in the East Auditorium at the U.S. Department of State, Harry S. Truman Building, Washington, DC. Entry and registration will begin at 8:15 a.m. Please use the building entrance located at 21st Street, NW., Washington, DC between C&D Streets. The membership of this advisory committee consists of private sector defense trade specialists, appointed by the Assistant Secretary of State for Political-Military Affairs, who advise the Department on policies, regulations, and technical issues affecting defense trade. The purpose of the meeting will be to discuss current defense trade issues and topics for further study.

Members of the public may attend this open session and will be permitted to participate in the discussion in accordance with the Chairman's instructions. They may also, if they wish, submit a brief statement to the committee in writing.

As access to the Department of State facilities is controlled, persons wishing

to attend the meeting must notify the DTAG Executive Secretariat by COB Thursday, September 13, 2007. If notified after this date, the DTAG Secretariat cannot guarantee that State's Bureau of Diplomatic Security can complete the necessary processing required to attend the September 20th plenary.

Each non-member observer or DTAG member that wishes to attend this plenary session should provide: His/her name; company or organizational affiliation; phone number; date of birth; and identifying data such as driver's license number, U.S. Government ID, or U.S. Military ID, to the DTAG Secretariat contact person, Nicholas Memos, via e-mail at [MemosNI@state.gov](mailto:MemosNI@state.gov). A RSVP list will be provided to Diplomatic Security. One of the following forms of valid photo identification will be required for admission: U.S. driver's license, passport, U.S. Government ID, or other valid photo ID.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Nicholas Memos, PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112; telephone (202) 663-2804; fax (202) 663-261-8199; or e-mail [MemosNI@state.gov](mailto:MemosNI@state.gov).

Dated: April 10, 2007.

**Robert W. Maggi,**  
*Executive Secretary, Defense Trade Advisory Group, Department of State.*

[FR Doc. E7-7274 Filed 4-16-07; 8:45 am]

BILLING CODE 4710-25-P

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary**

**Aviation Proceedings, Agreements Filed the Week Ending April 6, 2007**

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1383 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2007-27825.

*Date Filed:* April 5, 2007.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 532—Resolution 010n, TC3 Special Passenger Amending Resolution Between Japan and China (excluding Hong SAR and Macao SAR) (Memo 1076).

<sup>4</sup> 17 CFR 200.30-3(a)(12).

*Intended effective date:* 15 April 2007.

**Barbara J. Hairston,**

*Supervisory Docket Officer, Docket Operations, Alternate Federal Register Liaison.*

[FR Doc. E7-7246 Filed 4-16-07; 8:45 am]

BILLING CODE 4910-9X-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 April 6, 2007

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:* OST-2007-27815.

*Date Filed:* April 4, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 25, 2007.

*Description:* Application of Exec Air Inc. of Naples Db. ExecAir requesting authority to conduct scheduled passenger operations as a commuter air carrier.

**Barbara J. Hairston,**

*Supervisory Docket Officer, Docket Operations, Alternate Federal Register Liaison.*

[FR Doc. E7-7248 Filed 4-16-07; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Indiana

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and United States Fish and Wildlife Service (USFWS), DOI.

**SUMMARY:** This notice announces actions taken by the FHWA and the USFWS

that are final within the meaning of 23 U.S.C. § 139(I)(1). The actions relate to a proposed highway project, I-69, Evansville to Indianapolis, Indiana, in the Counties of Vanderburgh, Warrick, Gibson, Pike, Daviess, Greene, Monroe, Morgan, Johnson and Marion, State of Indiana. The Federal actions, taken as a result of a tiered environmental review process under the National Environmental Policy Act, 42 U.S.C. 4321-4351 (NEPA), and implementing regulations on tiering, 40 CFR 1502.20, 40 CFR 1508.28, and 23 CFR Part 771, determined certain issues relating to the proposed project. Those decisions will be used by Federal agencies in subsequent proceedings, including decisions whether to grant licenses, permits, and approvals for the highway project. The decisions also may be relied upon by State and local agencies in proceedings on the proposed project.

**DATES:** By this notice, the FHWA is advising the public that the FHWA and the USFWS have made decisions that are subject to 23 U.S.C. 139(I)(1) and are final within the meaning of that law. A claim seeking judicial review of those Federal agency decisions on the proposed highway project will be barred unless the claim is filed on or before October 15, 2007. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then the shorter time period applies.

**FOR FURTHER INFORMATION CONTACT:** For the FHWA: Mr. Anthony DeSimone, P.E., Federal Highway Administration, Indiana Division, 575 North Pennsylvania Street, Room 254, Indianapolis, IN 46204-1576; telephone: (317) 226-5307; e-mail:

*Anthony.DeSimone@fhwa.dot.gov.* The FHWA Indiana Division Office's normal business hours are 7:30 a.m. to 4 p.m., e.t. For the USFWS: Mr. Scott Pruitt, Field Supervisor, Bloomington Field Office, USFWS, 620 South Walker Street, Bloomington, IN 47403-2121; telephone: 812-334-4261; e-mail: *Scott\_Pruitt@fws.gov.* Normal business hours for the USFWS Bloomington Field Office are: 8 a.m. to 4:30 p.m., e.t. You may also contact Mr. Thomas Seeman, Project Manager, Indiana Department of Transportation (INDOT), 100 North Senate Avenue, Indianapolis, IN 46204; telephone: (317) 232-5336; e-mail: *TSeeman@indot.IN.gov.* Normal business hours for the Indiana Department of Transportation are: 8 a.m. to 4:30 p.m., e.t.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has approved a Tier 1 Final Environmental Impact Statement (FEIS) and issued a

Record of Decision (ROD) in connection with a proposed highway project in the State of Indiana: I-69 from Evansville to Indianapolis, in Vanderburgh, Warrick, Gibson, Pike, Daviess, Greene, Monroe, Morgan, Johnson and Marion Counties. The project will be an approximately 142 mile long Interstate highway. It will begin at the I-64/I-164 interchange just north of Evansville, Indiana and end at I-465 in Indianapolis, to the west of the I-465/SR 37 interchange. The proposed freeway will be on both new and existing alignment.

Decisions in the FHWA Tier 1 ROD that have final approval include, but are not limited to, the following:

1. Purpose and need for the project (see section 3.1).

2. Range of alternatives for analysis (see sections 3.3 and 3.4).

3. Selection of the Interstate highway build alternative and highway corridor for the project. The selected alternative, referred to in the FEIS as Alternative 3C, involves completing I-69 as an Interstate highway from Evansville to Indianapolis via Oakland City, Washington, Crane Naval Surface Warfare Center, Bloomington, and Martinsville (see section 2.1). This alternative includes the use of parts of the existing alignment of SR 37 to reach I-465 and the route variation known as WE2 in the area of Washington, Indiana. The ultimate alignment of the highway within the corridor, and the location and number of interchanges and rest areas will be evaluated in the Tier 2 National Environmental Policy Act (NEPA) proceedings.

4. Elimination of other alternatives from consideration in Tier 2 NEPA proceedings. The alternatives that will not be considered any further include, but are not limited to, those identified in the Tier 1 FEIS as the "no build" alternative, and alternatives 1, 2A, 2B, 2C, 3A, 3B, 4A, 4B, 5A, and 5B. Also eliminated were a number of hybrids and variations on these alternatives, including the "Mann Road Variation" for reaching I-465 and variations WW1, WW2, and WE1 in the area of Washington, Indiana. Detailed information about the alternatives considered in Tier 1, and about the Federal decisions that eliminate alternatives other than Alternative 3C from further consideration, is available in section 3 of the Tier 1 ROD and the Tier 1 FEIS sections cited therein.

5. Process for completing the Tier 2 alternatives analysis and studies for the project, including the designation of six Tier 2 sections and a decision to prepare a separate environmental impact statement for each Tier 2 section (see section 2.3).