

Commission understands that, currently, there is no mechanism for OPRA to identify only one side of a quote as non-firm. During this pilot period, the Commission expects that the Exchange will work with OPRA to develop the capability to identify such a mechanism. Once that capability is developed, there should no longer be a need to use a \$0.00 bid or \$200,000 offer to reflect a non-firm status on one-side of the market.

In addition, in response to CBOE's comment letter, Phlx amended proposed Rule 1082(a)(ii)(B)(4), Market Exhaust, to clarify that, if an order is received when there are no quotations available in the Phlx market, but Phlx has an order on its book at the NBBO, Phlx would immediately execute the incoming order against the order on its book at the NBBO.

The Commission believes that Phlx's proposal to disseminate a non-firm quote on one side of the market with size for a limited period of time, and to execute orders during a Market Exhaust situation if there limit order resting on Phlx at the NBBO, responds to the concerns raised by commenters and, as discussed above, is consistent with the Act. Therefore, the Commission finds good cause, consistent with Section 19(b)(2) of the Act,⁹⁵ to approve the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, on an accelerated basis.

The Commission believes that, with regard to the additional comments made by CBOE relating to the proposed rules for order handling following the Market Exhaust Auction and the circumstances under which specialists and other Phlx XL II participants would receive entitlements,⁹⁶ Phlx has sufficiently responded to and clarified these aspects of its proposal.

VII. Conclusion

For the foregoing reasons, the Commission finds that the proposed rule change, as amended, is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular with Section 6(b)(5) of the Act.⁹⁷

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁹⁸ that the proposed rule change (SR-Phlx-2009-32), as amended, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹⁹

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E9-12918 Filed 6-2-09; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF STATE

[Public Notice 6599]

Advisory Committee on Historical Diplomatic Documentation; Notice of Meeting

Summary: The Advisory Committee on Historical Diplomatic Documentation will meet in the Department of State, 2201 "C" Street NW., Washington, DC, June 23 and June 24, 2009, in Conference Room 1105. Prior notification and a valid government-issued photo ID (such as driver's license, passport, U.S. government or military ID) are required for entrance into the building. Members of the public planning to attend must notify Nathaniel Smith, Office of the Historian (202-663-3268) no later than June 18, 2009, to provide date of birth, valid government-issued photo identification number and type (such as driver's license number/state, passport number/country, or U.S. government ID number/agency or military ID number/branch), and relevant telephone numbers. If you cannot provide one of the specified forms of ID, please consult with Nathaniel Smith for acceptable alternative forms of picture identification. In addition, any requests for reasonable accommodation should be made prior to June 15, 2009. Requests for reasonable accommodation received after that time will be considered, but might be impossible to fulfill.

The Committee will meet in open session from 1:30 p.m. through 2:30 p.m. on Tuesday, June 23, 2009, in the Department of State, 2201 "C" Street NW., Washington, DC, in Conference Room 1105, to discuss declassification and transfer of Department of State records to the National Archives and Records Administration and the status of the *Foreign Relations* series. The remainder of the Committee's sessions from 2:45 p.m. until 5 p.m. on Tuesday, June 23, 2009, and 9 a.m. until 12 p.m. on Wednesday, June 24, 2009, will be closed in accordance with Section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463). The agenda calls for discussions of agency declassification decisions concerning the *Foreign*

Relations series and other declassification issues. These are matters properly classified and not subject to public disclosure under 5 U.S.C. 552b(c)(1) and the public interest requires that such activities be withheld from disclosure. Questions concerning the meeting should be directed to Ambassador John Campbell, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC 20520, telephone (202) 663-1123, (e-mail history@state.gov).

Dated: May 19, 2009.

John Campbell,

Executive Secretary, Department of State.

[FR Doc. E9-12942 Filed 6-2-09; 8:45 am]

BILLING CODE 4710-11-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed the Week Ending May 23, 2009

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: DOT-OST-2009-0123.

Date Filed: May 20, 2009.

Parties: Members of the International Air Transport Association.

Subject:

PSC/RESO/143 dated 6 February 2009.

Finally Adopted Resolutions & Recommended Practices r1-r44.

PSC/MINS/026 dated 6 February 2009.

Minutes.

Intended effective date: 1 June 2009.

Barbara J. Hairston,

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

[FR Doc. E9-12959 Filed 6-2-09; 8:45 am]

BILLING CODE 4910-9X-P

⁹⁵ 15 U.S.C. 78s(b)(2).

⁹⁶ See *supra* note 7.

⁹⁷ 15 U.S.C. 78f(b)(5).

⁹⁸ 15 U.S.C. 78s(b)(2).

⁹⁹ 17 CFR 200.30-3(a)(12).