

Number SR–NYSEArca–2009–55 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–NYSEArca–2009–55. 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, 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 will also be available for inspection and copying at NYSE Arca's principal office and on its Internet Web site at <http://www.nyx.com>. 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–NYSEArca–2009–55 and should be submitted on or before July 29, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>23</sup>

**Elizabeth M. Murphy,**

Secretary.

[FR Doc. E9–15995 Filed 7–7–09; 8:45 am]

**BILLING CODE 8010–01–P**

## DEPARTMENT OF STATE

### [Public Notice 6691]

#### Culturally Significant Objects Imported for Exhibition Determinations: “Watteau to Degas: French Drawings from the Frits Lugt Collection”

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition “Watteau to Degas: French Drawings from the Frits Lugt Collection,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Frick Collection, New York, NY, from on or about October 6, 2009, until on or about January 10, 2010, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453–8048). The address is U.S. Department of State, SA–44, 301 4th Street, SW., Room 700, Washington, DC 20547–0001.

Dated: June 29, 2009.

**C. Miller Crouch,**

*Acting Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. E9–16121 Filed 7–7–09; 8:45 am]

**BILLING CODE 4710–05–P**

## DEPARTMENT OF STATE

### [Public Notice 6636]

#### Notice of Closed Meeting of the Cultural Property Advisory Committee

In accordance with the provisions of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 *et seq.*) (the Act) there will be a meeting of the Cultural Property Advisory

Committee on (Committee) Monday, July 27 and on Tuesday, July 28 at the U.S. Department of State. Pursuant to section 2605(h) of the Act and 5 U.S.C. 552b(c)(9)(B), the meeting shall be closed to the public.

At this meeting, the Committee will carry out its interim review function with respect to the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Colombia Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Certain Ecclesiastical Material from the Colonial Period of Colombia concluded on March 15, 2006; and, the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Italy Concerning the Imposition of Import Restrictions on Archaeological Material Representing the Pre-Classical, Classical and Imperial Roman Periods of Italy, concluded on January 19, 2001, and extended in 2006. Pursuant to the Act, the Committee will conduct an interim review of the effectiveness of the MOUs and will focus its attention on Article II of each MOU. This is not a meeting to consider extension of the MOUs. Such a meeting will be scheduled and announced in the future and will include a public session.

The Committee's responsibilities are carried out in accordance with provisions of the Act. Related information may be found at <http://exchanges.state.gov/culprop>.

Dated: June 19, 2009.

**C. Miller Crouch,**

*Acting Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. E9–16058 Filed 7–7–09; 8:45 am]

**BILLING CODE 4710–05–P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### [Docket No. WTO/DS392/2]

#### WTO Dispute Settlement Proceeding Regarding United States—Certain Measures Affecting Imports of Poultry From China

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Office of the United States Trade Representative (“USTR”) is providing notice that on June 23, 2009, the People's Republic of China (“China”) requested the establishment of a panel under the *Marrakesh*

<sup>23</sup> 17 CFR 200.30–3(a)(12).

*Agreement Establishing the World Trade Organization* (“WTO Agreement”) with respect to certain measures affecting the import of poultry products from China into the United States. That request may be found at <http://www.wto.org> contained in a document designated as WT/DS392/2. USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before September 15 to be assured of timely consideration by USTR.

**ADDRESSES:** Public comments should be submitted electronically to <http://www.regulations.gov>, docket number USTR–2009–0014. If you are unable to provide submissions by <http://www.regulations.gov>, please contact Sandy McKinzy at (202) 395–9483 to arrange for an alternative method of transmission. If (as explained below) the comment contains confidential information, then the comment should be submitted by fax only to Sandy McKinzy at (202) 395–3640.

**FOR FURTHER INFORMATION CONTACT:** David Yocis, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395–9663.

**SUPPLEMENTARY INFORMATION:** Section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, USTR is providing notice that the establishment of a dispute settlement panel has been requested pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”). If such a panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within nine months after it is established.

### Major Issues Raised by China

In its request for the establishment of a panel, China challenges section 727 of division A of the Omnibus Appropriations Act, 2009 (Pub. L. 111–8), which prohibits the use of funds appropriated under that Act from being used to establish or implement a rule allowing poultry products to be imported into the United States from China. According to China, section 727 effectively prohibits the U.S.

Department of Agriculture from establishing or implementing measures allowing for the importation from China of poultry products or taking actions to expand the class of poultry products from China eligible for import into the United States. China alleges that the United States thus imposes a moratorium on the consideration, approval, and implementation of actions that would be necessary under U.S. law for China to export poultry products to the United States. China claims that these measures amount to a quantitative restriction in breach of Article XI:1 of the *General Agreement on Tariffs and Trade 1994* (“GATT 1994”) and Article 4.2 of the *Agreement on Agriculture*. In addition, China alleges that by imposing this restriction with respect to imports from China, but not those of other WTO Members, the United States acts inconsistently with Article I:1 of the GATT 1994. Finally, China claims that, to the extent that some or all of these U.S. measures are sanitary or phytosanitary measures within the meaning of the *Agreement on the Application of Sanitary and Phytosanitary Measures*, they are inconsistent with Articles 2.1–2.3, 3.1, 3.3, 5.1–5.7, and 8 of that agreement.

### Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons may submit public comments electronically to <http://www.regulations.gov> docket number USTR–2009–0014. If you are unable to provide submissions by <http://www.regulations.gov>, please contact Sandy McKinzy at (202) 395–9483 to arrange for an alternative method of transmission.

To submit comments via <http://www.regulations.gov>, enter docket number USTR–2009–0014 on the home page and click “go”. The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting “Notice” under “Document Type” on the left side of the search-results page, and click on the link entitled “Send a Comment or Submission.” (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on “How to Use This Site” on the left side of the home page.)

The <http://www.regulations.gov> site provides the option of providing comments by filling in a “General Comments” field, or by attaching a document. It is expected that most

comments will be provided in an attached document. If a document is attached, it is sufficient to type “See attached” in the “General Comments” field.

A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked “*Business Confidential*” at the top and bottom of the cover page and each succeeding page. Any comment containing business confidential information must be submitted by fax to Sandy McKinzy at (202) 395–3640. A non-confidential summary of the confidential information must be submitted to <http://www.regulations.gov>. The non-confidential summary will be placed in the docket and open to public inspection.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

- (1) Must clearly so designate the information or advice;
- (2) Must clearly mark the material as “*Submitted in Confidence*” at the top and bottom of the cover page and each succeeding page; and
- (3) Must provide a non-confidential summary of the information or advice.

Any comment containing confidential information must be submitted by fax. A non-confidential summary of the confidential information must be submitted to <http://www.regulations.gov>. The non-confidential summary will be placed in the docket and open to public inspection.

USTR will maintain a docket on this dispute settlement proceeding, accessible to the public. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened or in the event of an appeal from such a panel, the U.S. submissions, any non-confidential submissions, or non-confidential summaries of submissions, received from other participants in the dispute; the report of the panel; and, if applicable, the report of the Appellate Body.

Comments will be placed in the docket and open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15 or information determined by USTR to be confidential in accordance with 19 U.S.C. 2155(g)(2). Comments open to public inspection may be viewed on the <http://www.regulations.gov> Web site.

**Daniel Brinza,**

*Assistant United States Trade Representative for Monitoring and Enforcement.*

[FR Doc. E9-16061 Filed 7-7-09; 8:45 am]

**BILLING CODE 3190-W9-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Bexar County, TX

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

**ACTION:** Notice of Intent.

**SUMMARY:** Pursuant to 40 CFR 1508.22 and 43 TAC § 2.5(e)(2), the FHWA, Texas Department of Transportation (TxDOT) and Alamo Regional Mobility Authority are issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed transportation project on United States Highway (US) 281 from Loop (LP) 1604 to Borgfeld Road, about 7.5 miles, in Bexar County, Texas. Areas within the city of San Antonio are included in the study area.

**FOR FURTHER INFORMATION CONTACT:** Mr. Salvador Deocampo, District Engineer, District A, Federal Highway Administration (FHWA), Texas Division, 300 East 8th Street, Rm. 826, Austin, Texas 78701, Telephone 512-536-5950.

**SUPPLEMENTARY INFORMATION:** US 281 within the project limits is listed in the San Antonio-Bexar County Metropolitan Planning Organization (SA-BCMPO) Mobility 2030 Plan (the long-range transportation plan) as a six-lane tolled facility; other solutions for improving mobility within the US 281 corridor may be identified in future updates and/or amendments to the long-range transportation plan. The existing facility is a four-to-six-lane non-toll divided arterial with partial access controls. The need for improvements to US 281 has resulted from a historic and continuing trend in population and employment growth within the project corridor and surrounding areas. This growth has generated increasing levels of vehicle

miles traveled, leading to higher levels of traffic congestion, vehicle crashes, and declining community quality of life. Without additional transportation improvements it is anticipated that this population and employment growth will result in increased levels of vehicular traffic, crashes and travel delays. Without improvements, accessibility within the corridor is anticipated to become increasingly reduced, its functionality as part of a regional transportation system would decline, and the overall community quality of life would diminish. The objectives of US 281 corridor improvements are to improve mobility, enhance safety, and improve community quality of life. The EIS will develop and evaluate a range of alternatives including "No-action" (the no-build alternative), Transportation System Management (TSM)/Transportation Demand Management (TDM), rapid transit and roadway build alternatives.

The EIS will analyze potential direct, indirect and cumulative impacts from construction and operation of proposed corridor improvements including, but not limited to, the following: Transportation impacts; air quality and noise impacts; water quality impacts including storm water runoff; impacts to waters of the United States including wetlands; impacts to floodplains; impacts to historic and archeological resources; impacts to threatened and endangered species; socioeconomic impacts including environmental justice communities; impacts to and/or potential displacements of land use, vegetation, residents and businesses; and impacts to aesthetic and visual resources.

Public involvement is a critical component of the project development process and will occur throughout the planning and study phases. Letters describing the proposed action including a request for comments will be sent to appropriate Federal, State, and local agencies and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. Public scoping meetings are planned for late summer and fall of 2009. The purpose of the public scoping meetings is to identify significant and other relevant issues related to US 281 mobility improvements as part of the National Environmental Policy Act process. The scoping meetings, pursuant to Section 6002 of SAFETEA-LU, will provide opportunities for participating agencies, cooperating agencies, and the public to be involved in review and comment on

the draft coordination plan, defining the need and purpose for the proposed project, and determining the range of alternatives to be considered in the EIS. Additional public meetings will be held on dates to be determined at a later time. In addition to the public meetings, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing.

To ensure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Such comments or questions concerning this proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: July 1, 2009.

**Achille Alonzi,**

*Assistant Division Administrator.*

[FR Doc. E9-16150 Filed 7-7-09; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Office of Commercial Space Transportation; Notice of Availability of the Environmental Assessment and Finding of No Significant Impact for Pegasus Launches at the U.S. Army Kwajalein Atoll Ronald Reagan Ballistic Missile Defense Test Site

**AGENCY:** The Federal Aviation Administration (FAA), lead agency; U.S. Army, cooperating agency.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), Council on Environmental Quality NEPA implementing regulations (40 CFR Parts 1500-1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for Pegasus Launches at the U.S. Army Kwajalein Atoll Ronald Reagan Ballistic Missile Defense Test Site (USAKA/RTS).

Orbital Sciences Corporation has applied to the FAA for renewal of Launch Operator License (LLO) 04-069. Under the Proposed Action (the preferred alternative), the FAA would