

is appropriate because the purposes they serve are addressed by proposed FINRA Rules 2262 and 2269, other FINRA rules or Commission Rules. The Commission believes that transferring NASD Rule 3340 into the Consolidated FINRA Rulebook as FINRA Rule 5260 will ensure that members are aware that the trading and quoting conduct prohibited by this rule when a trading halt is in effect will continue to be prohibited under the new FINRA rules. The proposed rule change makes non-material changes to NASD rules that have been useful in protecting investors.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁷ that the proposed rule change, as modified by Amendment No. 1 (SR-FINRA-2009-044) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁸

Florence E. Harmon,
Deputy Secretary.

[FR Doc. E9-22514 Filed 9-18-09; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 6766]

Notice of Request for Public Comment and Submission to OMB of Proposed Collection of Information

Title: 30-Day Notice of Proposed Information Collection: DS-3013 and 3013-s, Application Under the Hague Convention on the Civil Aspects of International Child Abduction, OMB 1405-0076.

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

SUMMARY: The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Application Under the Hague Convention on the Civil Aspects of International Child Abduction.
- *OMB Control Number:* 1405-0076.
- *Type of Request:* Revision.
- *Originating Office:* CA/OCS/PRI.
- *Form Number:* DS-3013, 3013-s.
- *Respondents:* Person seeking return of, or access to, a child.
- *Estimated Number of Respondents:* 2,355.
- *Estimated Number of Responses:* 2,355.

- *Average Hours per Response:* 1 hour.
- *Total Estimated Burden:* 2,355.
- *Frequency:* On occasion.
- *Obligation to Respond:* Voluntary.

DATES: Submit comments to the Office of Management and Budget (OMB) for up to 30 days from September 21, 2009.

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:

- *E-mail:* 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 Derek A. Rivers, Bureau of Consular Affairs, Overseas Citizens Services (CA/OCS/PRI), U.S. Department of State, SA-29, 4th Floor, Washington, DC 20520, who may be reached on (202) 736-9082 or at ASKPRI@state.gov.

SUPPLEMENTARY INFORMATION: We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary to properly perform our functions;
- Evaluate the accuracy of our estimate of the burden of the proposed collection; including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected;
- Minimize the reporting burden on those who are to respond.

Abstract of proposed collection: The Application Under the Hague Convention on the Civil Aspects of International Child Abduction (DS-3013 and DS 3013-s) is used by parents or legal guardians who are asking the State Department's assistance in seeking the return of, or access to, a child or children alleged to be wrongfully removed from, or retained outside of, the child's habitual residence and currently located in another country that is also party to the Hague Convention on the Civil Aspects of International Child Abduction. The application requests information regarding the identities of the applicant, the child or children, and the person alleged to have wrongfully removed or retained the child or children. In addition, the application requires that

the applicant provide the circumstances of the alleged wrongful removal or retention, and the legal justification for the request for return or access. The State Department, as the U.S. Central Authority, uses this information to establish, if possible, the applicants' claims under the Convention; to advise applicants about available remedies under the Convention; and to provide the information necessary to the foreign Central Authority in its efforts to locate the child or children, and to facilitate return of or access to the child or children pursuant to the Convention.

Methodology: The completed form DS-3013 and DS 3013-s may be filled out electronically or manually and then submitted to the Office of Children's Issues by e-mail, mail, or fax.

Dated: August 4, 2009.

Mary Ellen Hickey,

Managing Director, Bureau of Consular Affairs, Department of State.

[FR Doc. E9-22638 Filed 9-18-09; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF STATE

[Public Notice 6763]

Culturally Significant Object Imported for Exhibition Determinations: "Caravaggio's, The Supper at Emmaus"

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 object in the exhibition: "Caravaggio's, The Supper at Emmaus," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the Art Institute of Chicago, Chicago, IL, from on or about October 8, 2009, until on or about January 31, 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**.

⁷ 15 U.S.C. 78s(b)(2).

⁸ 17 CFR 200.30-3(a)(12).

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The address is U.S. Department of State, L/PD, SA-5, 2200 C Street, NW., Suite 5H03, Washington, DC 20522-0505.

Dated: September 11, 2009.

Maura M. Pally,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2009-0001-N-23]

Notice and Request for Comments

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on July 6, 2009 (74 FR 32029).

DATES: Comments must be submitted on or before October 21, 2009.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Nakia Jackson, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., 3rd Floor, Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6073). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part

1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On July 6, 2009, FRA published a 60-day notice in the **Federal Register** soliciting comment on this ICR that the agency was seeking OMB approval. 74 FR 32029. FRA received one comment—a letter—in response to this notice.

The letter came from Mr. Freddie Simpson, President of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters (BMWED). BMWED is a rail labor organization representing approximately 36,000 railroad workers who build, maintain, repair and inspect tracks, bridges, and related railroad infrastructure throughout North America. In his remarks, Mr. Simpson stated the following:

In response to the Proposed Agency Information Collection Activities; Comment Request published in the **Federal Register** on July 6, 2009, (Volume 74, Number 127, pages 32029-32030) BMWED supports the proposed study and related information collection activities. As such, BMWED respectfully requests OMB approval.

BMWED offers the following comments in support:

- The proposed collection of information is necessary for the Department to fulfill its Congressional mandate under the RSIA to conduct a track inspection time study. This information is necessary to evaluate the conditions under which visual track inspections are conducted and to develop a report to the Congress responsive to Section 403 of the RSIA.
- The collected information will have practical utility to the Secretary of Transportation and the Federal Railroad Administration (FRA) in their analysis of track inspection issues within the industry.
- The Department's estimates of burden hours and costs are reasonable.
- The methodology proposed for this information collection activity is suitable and appropriate for the study and the respondent population and will facilitate the collection of data with high utility.
- The proposed information collection activity has been designed to be minimally burdensome on respondents and the proposed information collection activity is of limited duration.

Visual track inspections conducted under 49 CFR Parts 213.233, 213.235 and 213.365 play a vital and integral role in maintaining track structural integrity and the safety of railroad operations. BMWED believes that the "Track Transportation [track inspection] Time Study, OMB Control Number: 2130-NEW, Docket No. FRA-2009-0001-N-16" is necessary to allow the Secretary to fulfill the Congressional mandate of Section 403 of the RSIA to: (1) determine whether the required

intervals of track inspections for each class of track should be amended; (2) determine whether track remedial action requirements should be amended; (3) determine whether different track inspection and repair priorities or methods should be required; and (4) determine whether the speed at which railroad track inspection vehicles operate and the scope of the territory they generally cover allow for proper inspection of the track and whether such speed and appropriate scope should be regulated by the Secretary.

FRA received no other comments in response to this notice. Accordingly, DOT announces that these information collection activities have been evaluated and certified under 5 CFR 1320.5(a) and forwarded to OMB for review and approval pursuant to 5 CFR 1320.10(a).

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirement (ICR) and the expected burden for the ICR being submitted for clearance by OMB as required by the PRA.

Title: Track Transportation Time Study.

OMB Control Number: 2130-New.
Type of Request: Regular Approval of a New Collection of Information.

Affected Public: Track Inspectors/Track Inspector Supervisors/Division and Chief Engineers

Abstract: The Rail Safety Improvement Act of 2008 (Pub. L. 110-432) calls for a track inspection time study to be performed by FRA. The information required to develop the report will be at least partially obtained through a series of information gathering surveys which are focused on various aspects of track inspection. Each survey will be customized for a particular segment of the workforce and will include track inspectors, track supervisors or roadmasters, middle management (division engineers), and senior management (chief engineers).