

*Changes Proposed:* The RRB proposes non-burden impacting editorial changes to Form G-740S.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* See Justification (Item No.12).

*Total annual responses:* 1.

*Total annual reporting hours:* 1.

*Additional Information or Comments:* Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@rrb.gov) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Charles Mierzwa,**

*Clearance Officer.*

[FR Doc. E9-23196 Filed 9-24-09; 8:45 am]

BILLING CODE 7905-01-P

## OFFICE OF SCIENCE AND TECHNOLOGY POLICY

### President's Council of Advisors on Science and Technology; Notice of Meeting: Meeting of the President's Council of Advisors on Science and Technology

**ACTION:** Public notice.

**SUMMARY:** This notice sets forth the schedule and summary agenda for a meeting of the President's Council of Advisors on Science and Technology (PCAST), and describes the functions of the Council. Notice of this meeting is required under the Federal Advisory Committee Act (FACA).

**DATES:** October 22, 2009–October 23, 2009.

**ADDRESSES:** Washington, DC. The meeting will be held at the National Academy of Sciences building, 2100 C Street, NW., Washington, DC.

*Type of Meeting:* Open and Closed. Details on the meeting agenda will be posted on the PCAST Web site at: <http://www.ostp.gov/cs/pcast>.

*Proposed Schedule and Agenda:* The President's Council of Advisors on Science and Technology (PCAST) is scheduled to meet in open session on October 22, 2009 from 10 a.m.–12 p.m., when they will break for lunch. They will resume meeting in open session

from 2 p.m.–6 p.m. On October 23, 2009, PCAST will meet in open session from 10 a.m.–12 p.m., when they will break for lunch. They will resume meeting in open session from 2 p.m.–5 p.m. During these open meetings, PCAST is tentatively scheduled to hear presentations from representatives of the Office of Science and Technology Policy, the Department of Energy, the Department of State, the Department of Education, the Department of Defense, the National Science Foundation, the National Aeronautics and Space Administration, National Institutes of Health, and non-governmental leaders in science, technology, engineering, and mathematics (STEM) education.

Speakers will focus on the issues of STEM education or the role of science and technology in international development activities. In addition, PCAST will discuss possible studies it may conduct regarding the health and the life sciences; energy, climate, and the environment; innovation and technology; international security; economic development; and interdisciplinary aspects of science and technology. Additional information and the agenda will be posted at the PCAST Web site at: <http://www.ostp.gov/cs/pcast>.

PCAST may hold a closed meeting of approximately 1 hour with the President, which must take place in the White House for the President's scheduling convenience and to maintain Secret Service protection. This meeting will be closed to the public because such portion of the meeting is likely to disclose matters that are to be kept secret in the interest of national defense or foreign policy under 5 U.S.C. 552b(c)(1). The precise date and time of this potential meeting has not yet been determined.

*Public Comments:* There will be time allocated for the public to comment on the above agenda items the morning of October 23, 2009. This public comment period is designed for substantive commentary on PCAST's work topics, not for business marketing purposes.

Members of the public wishing to reserve speaking time must contact Dr. Deborah D. Stine, PCAST Executive Director, at [dstine@ostp.eop.gov](mailto:dstine@ostp.eop.gov), (202) 456-6006, or fax your request/comments to (202) 456-6021, at least five (5) business days in advance of the meeting. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) to five (5) minutes per person, with a total public comment period of 30 minutes. Requests for public comment will be honored on a first-come, first-serve basis. The time available to speakers

will be determined based on the number of requests received by the deadline. Speakers are asked to bring extra copies of their comments and/or presentation for distribution to PCAST at the meeting.

Written comments are also welcome at any time before or following the meeting. Written comments received at least five (5) business days prior to the meeting will be made available to the members before their meeting. Written comments received after that point may not be reviewed by the members until after the meeting takes place.

Please note that because PCAST operates under FACA, all public comments and/or presentations will be treated as public documents and will be made available for public inspection, including being posted on the PCAST Web site.

#### FOR FURTHER INFORMATION, CONTACT:

Information regarding agenda, time, location, and how to register for the meeting will be made available on the PCAST Web site at: <http://www.ostp.gov/cs/pcast>. A live video Web cast and an archive of the Web cast after the event will be available at <http://www.ostp.gov/cs/pcast>. Questions about the meeting should be directed to Dr. Deborah D. Stine, PCAST Executive Director, at [dstine@ostp.eop.gov](mailto:dstine@ostp.eop.gov), (202) 456-6006, or fax your request/comments to (202) 456-6021 prior to 3 p.m. on Wednesday, August 5, 2009. Please note that public seating for this meeting is limited and is available on a first-come, first-served basis.

**SUPPLEMENTARY INFORMATION:** The President's Council of Advisors on Science and Technology was established by Executive Order 13226 on September 30, 2001. The President's Council of Advisors on Science and Technology (PCAST) is an advisory group of the nation's leading scientists and engineers who directly advise the President and the Executive Office of the President. PCAST makes policy recommendations in the many areas where understanding of science, technology, and innovation is key to strengthening our economy and forming policy that works for the American people. PCAST is administered by the Office of Science and Technology Policy (OSTP). PCAST is co-chaired by Dr. John Holdren, Assistant to the President for Science and Technology, and Director of the Office of Science and Technology Policy; Dr. Harold Varmus, President, Memorial Sloan-Kettering Cancer Center; and Dr. Eric Lander, Founding Director, Broad Institute.

*Meeting Accommodations:* Individuals requiring special

accommodation to access the public meetings listed above should contact Dr. Stine at least five business days prior to the meeting so that appropriate arrangements can be made.

**Deborah D. Stine,**

*Executive Director, President's Council of Advisors on Science and Technology Policy.*  
[FR Doc. E9-23253 Filed 9-24-09; 8:45 am]

**BILLING CODE 3170-W9-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, October 1, 2009 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Walter, as duty officer, voted to consider the items listed for the Closed Meeting in a closed session.

The subject matter of the Closed Meeting scheduled for Thursday, October 1, 2009 will be:

Institution and settlement of injunctive actions;  
Institution and settlement of administrative proceedings;  
A litigation matter; and  
Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551-5400.

Dated: September 23, 2009.

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E9-23373 Filed 9-23-09; 4:15 pm]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### Genova Biotherapeutics Inc.; Order of Suspension of Trading

September 23, 2009.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Genova Biotherapeutics Inc. ("Genova").

Genova is incorporated under the laws of Nevada and has its primary headquarters in New York, New York. Questions have arisen regarding stock promotional activity for Genova and the adequacy and accuracy of press releases, financial statements, and statements on the company's Web site concerning the company's current financial condition, business and operations, and stock promoting activity.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in Genova's securities.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed company is suspended for the period from 9:30 a.m. EST, on September 23, 2009 through 11:59 p.m. EST, on October 6, 2009.

By the Commission.

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E9-23297 Filed 9-23-09; 4:15 pm]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60694; File No. SR-Phlx-2009-65]

### Self-Regulatory Organizations; Order Approving Proposed Rule Change by NASDAQ OMX PHLX, Inc. Relating to Strike Price Intervals of \$0.50 for Options on Stocks Trading at or Below \$3.00

September 18, 2009.

On July 31, 2009, NASDAQ OMX PHLX, Inc. ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> a proposed rule change to permit the Exchange to list options on selected stocks trading at or

below \$3.00 at \$0.50 intervals ("\$0.50 Strike Program"). The proposed rule change was published for comment in the **Federal Register** on August 17, 2009.<sup>4</sup> There were no comments on the proposed rule change. This order approves the proposed rule change.

The Exchange proposes to amend Rule 1012, Series of Options Open for Trading, Commentary .05, in order to establish strike price intervals of \$0.50, beginning at \$1, for certain options classes whose underlying security closed at or below \$3 in its primary market on the previous trading day. Currently, Commentary .05(a)(ii) to Phlx Rule 1012 provides that the interval of strike prices of series of options on individual stocks may be \$2.50 or greater where the strike price is \$25 or less. Additionally, Commentary .05(a)(i) to Phlx Rule 1012 allows the Exchange to establish \$1 strike price intervals (the "\$1 Strike Program") on options classes overlying no more than fifty-five individual stocks designated by the Exchange. To be eligible for the \$1 Strike Program, an underlying stock must close below \$50 in its primary market on the previous trading day.<sup>5</sup>

The Exchange now proposes to establish strike prices of \$1, \$1.50, \$2, \$2.50, \$3 and \$3.50 for certain stocks that trade at or under \$3.00.<sup>6</sup> The listing of these strike prices will be limited to options classes whose underlying security closed at or below \$3 in its primary market on the previous trading day, and which have national average daily volume that equals or exceeds 1000 contracts per day as determined by The Options Clearing Corporation

<sup>4</sup> See Securities Exchange Act Release No. 60466 (August 10, 2009), 74 FR 4147 ("Notice").

<sup>5</sup> In addition, the \$1 Strike Program permits the Exchange to list strike prices at \$1 intervals from \$1 to \$50, provided that no \$1 strike price may be listed that is greater than \$5 from the underlying stock's closing price in its primary market on the previous day. Further, the Exchange is restricted from listing any series that would result in strike prices being within \$0.50 of a strike price set pursuant to Commentary .05(a)(ii) to Phlx Rule 1012 addressing \$2.50 strike intervals. The Exchange may also list \$1 strikes on any other option class designated by another securities exchange that employs a similar \$1 Strike Program. Further, the Exchange may not list long-term option series (LEAPS) at \$1 strike price intervals for any class selected for the \$1 Strike Program.

<sup>6</sup> The Exchange recently amended Exchange Rule 1010, Withdrawal of Approval of Underlying Securities or Options, to eliminate the \$3 market price per share requirement for continued approval for an underlying security. The amendment eliminated the prohibition against listing additional series or options on an underlying security at any time when the price per share of such underlying security is less than \$3. The Exchange explained in that proposed rule change that the market price for a large number of securities has fallen below \$3 in the current volatile market environment. See Securities Exchange Act Release No. 59346 (February 3, 2009), 74 FR 6681 (February 10, 2009).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.