

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing 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 also will be available for inspection and copying at the principal office of the ISE. 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-ISE-2010-41 and should be submitted on or before June 18, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

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

[FR Doc. 2010-12872 Filed 5-27-10; 8:45 am]

**BILLING CODE 8010-01-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR-2010-0015]

### Notice and Request for Comments: Canada—Compliance With Softwood Lumber Agreement

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

**ACTION:** Notice and request for public comment.

**SUMMARY:** Under the 2006 Softwood Lumber Agreement (SLA), Canada agreed to impose export measures on Canadian exports of softwood lumber products to the United States. At the request of the United States, an arbitral tribunal established under the SLA determined in March 2008 that Canada had breached certain SLA obligations. In February 2009, the tribunal issued a remedy award requiring Canada to collect an additional 10 percent *ad valorem* export charge on softwood lumber shipments from Ontario, Quebec, Manitoba, and Saskatchewan, until an entire amount of CDN \$ 68 million has been collected. Canada did not begin collecting the additional export charge. In April 2009, the United States Trade Representative ("Trade Representative") initiated an investigation under Section 302 of the Trade Act of 1974, as amended ("Trade Act"). In that investigation, the Trade

Representative determined that Canada's failure to implement the tribunal's remedy award had the effect of denying U.S. rights under the SLA; and, pursuant to Section 301 of the Trade Act, the Trade Representative imposed 10 percent *ad valorem* duties on imports of softwood lumber products subject to the SLA from the provinces of Ontario, Quebec, Manitoba, and Saskatchewan (the April 2009 action). Under the April 2009 action, the duties are to remain in place until such time as the United States collects \$54.8 million, the U.S. dollar equivalent of CDN \$ 68 million at the time. The Government of Canada, however, is now taking steps toward adopting its own measure to address Canada's breach of the SLA, in the form of legislation requiring the collection of an additional 10 percent charge on exports from the provinces of Ontario, Quebec, Manitoba, and Saskatchewan. In the event that the proposed bill becomes law by receiving royal assent, and if the Trade Representative finds that the law satisfactorily grants the rights of the United States under the SLA, the Trade Representative may modify or terminate the April 2009 action. Interested persons are invited to submit comments on the possible modification or termination of the April 2009 action.

**DATES:** To be assured of consideration, comments should be submitted by no later than 5 p.m. on June 14, 2010, although USTR will continue to accept comments after that date.

**ADDRESSES:** Non-confidential comments (as explained below) should be submitted electronically via the Internet at <http://www.regulations.gov>, docket number USTR-2010-0015. 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 comments contain confidential information, the person wishing to submit such comments should contact Sandy McKinzy at (202) 395-9483.

**FOR FURTHER INFORMATION CONTACT:** John Melle, Deputy Assistant USTR for the Americas, (202) 395-3412, or Suzanne Garner, Assistant General Counsel, (202) 395-3581, for questions concerning the enforcement of U.S. rights under the SLA; William Busis, Associate General Counsel and Chair of the Section 301 Committee, (202) 395-3150, for questions concerning procedures under Section 301; or Gwendolyn Diggs, Staff Assistant to the Section 301 Committee, (202) 395-5830, for questions

concerning procedures for filing submissions in response to this notice.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Enforcement of U.S. Rights Under the SLA**

For further information concerning U.S. rights under the SLA and the April 2009 action, see *Initiation of Section 302 Investigation, Determination of Action Under Section 301, and Request for Comments: Canada—Compliance With Softwood Lumber Agreement*, 74 FR 16,436 (April 10, 2009) (notice); 74 FR 17,276 (April 14, 2009) (annex).

##### **B. Canada's Steps Toward Addressing the Breach of the SLA**

On March 4, 2010, the Canadian Parliament introduced as part of the Federal budget an amendment to the Softwood Lumber Products Export Charge Act, 2006. The amendment provides for the collection of an additional export charge of 10 percent on softwood lumber products from the provinces of Ontario, Quebec, Manitoba, and Saskatchewan. The amendment might become law as soon as mid-June 2010.

##### **C. Possible Modification or Termination of April 2009 Action**

The Trade Act authorizes the Trade Representative to modify or terminate an action taken under Section 301 if, among other things, "the foreign country is taking satisfactory measures to grant the rights of the United States under a trade agreement." Sections 301(a)(2)(B)(i) and 307(1)(A). If the proposed amendment becomes law, the Trade Representative may consider whether Canada is taking satisfactory measures to grant the rights of the United States under the SLA, and if so, may decide on an appropriate modification or termination of the April 2009 action.

Pursuant to Section 306(a) of the Trade Act, if the Trade Representative finds that the additional 10 percent export charge is a satisfactory measure, the Trade Representative will continue to monitor the implementation of such measure. Pursuant to Section 306(b), if the Trade Representative considers that Canada is not satisfactorily implementing the measure, the Trade Representative will determine what further action to take under Section 301.

##### **D. Request for Public Comment**

The Section 301 Committee invites comments from interested persons with respect to the possible modification or termination of the April 2009 action in the event the Government of Canada adopts a law imposing an additional 10

<sup>13</sup> 17 CFR 200.30-3(a)(12).

percent export charge on softwood lumber from the provinces of Ontario, Quebec, Manitoba, and Saskatchewan. This request includes comments on the appropriate methodology for transitioning from the current U.S.-collected 10 percent duties to the 10 percent export charge to be collected by the Government of Canada.

To submit comments via <http://www.regulations.gov>, enter docket number USTR-2010-0015 on the home page and click "Search". The site will provide a search-results page listing all documents associated with this docket. If this notice is not listed on the search-results page, find a reference to this notice by selecting "Notice" under "Document Type." Upon locating a reference to this notice, click on the link entitled "Submit Comment."

The [www.regulations.gov](http://www.regulations.gov) site provides the option of providing comments by filling in a comments field, or by attaching a document. Given the detailed nature of the comments sought by the Section 301 Committee, all comments should be provided in an attached document. Submissions must state clearly the position taken and describe with specificity the supporting rationale and must be written in English. After attaching the document, it is sufficient to type "See attached" in the comments field.

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 may be viewed on the <http://www.regulations.gov> Web site by entering docket number USTR-2010-0015 in the search field on the home page.

Persons wishing to submit business confidential information must certify in writing that such information is confidential in accordance with 15 CFR 2006.15(b), and such information must be clearly marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page. Any comment containing business confidential information must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary will be placed in the docket and open to public inspection. Comments containing business confidential information should not be submitted via the [www.regulations.gov](http://www.regulations.gov) Web site. Instead, persons wishing to submit comments containing business

confidential information should contact Sandy McKinzy at (202) 395-9483.

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.

The non-confidential summary will be placed in the docket and open to public inspection. Comments submitted in confidence should not be submitted via the [www.regulations.gov](http://www.regulations.gov) Web site. Instead, persons wishing to submit such comments should contact Sandy McKinzy at (202) 395-9483.

**William L. Busis,**

*Chair, Section 301 Committee.*

[FR Doc. 2010-12951 Filed 5-27-10; 8:45 am]

**BILLING CODE 3190-W0-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (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 collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on March 23, 2010, Vol. 75, No. 55, Pages 13806-13807.

**DATES:** Comments must be submitted on or before June 28, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Tamara Webster at the National Highway Traffic Safety Administration, Office of Regional Operations and Program Delivery (NTI-200), 202-366-

2701, 1200 New Jersey Avenue, SE., W46-490, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

### National Highway Traffic Safety Administration

*Title:* 23 CFR, Part 1350, Certificate Requirements for Section 2010 Motorcyclist Safety Grant Program.

*OMB Number:* 2127-0650.

*Type of Request:* Extension to a previously approved collection of information.

*Abstract:* A motorcyclist safety incentive grant is available to help States enhance motorcyclist safety training and motorcyclist awareness programs. To qualify for a first year grant under the grant program, a State must demonstrate that it has satisfied one of six criteria: (1) Statewide motorcycle rider training course, (2) statewide motorcyclists awareness program, (3) reduction of fatalities and crashes involving motorcycles, (4) statewide impaired driving program, (5) reduction of fatalities and accidents involving impaired motorcyclists, and (6) use of fees collected from motorcyclists for motorcycle programs. In second and subsequent fiscal years, a State must demonstrate that it has satisfied at least two of six criteria.

*Affected Public:* The 50 States, the District of Columbia, and Puerto Rico.

*Estimated Total Annual Burden:* 1560 hours.

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

*Comments are invited on:* whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

**Marlene Markison,**

*Associate Administrator, Regional Operations and Program Delivery.*

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