

*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-NASDAQ-2010-039. 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 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 such filing also will be available for inspection and copying at the principal office of the Exchange. 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-NASDAQ-2010-039, and should be submitted on or before April 21, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>9</sup>

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

[FR Doc. 2010-7107 Filed 3-30-10; 8:45 am]

**BILLING CODE 8011-01-P**

**DEPARTMENT OF STATE**

[Public Notice 6938]

**Certifications Pursuant to Section 609 of Public Law 101-162**

**SUMMARY:** On March 24, 2010, the Department of State notified Congress that it had withdrawn Mexico's certification under United States Public Law 101-162, Section 609, because

Mexico's turtle excluder device (TED) program was not currently comparable to the United States program as required by the statute. Withdrawal of Mexican certification is primarily a compliance and environmental issue, but it does have trade implications. The United States government is providing the Government of Mexico with detailed technical recommendations and capacity-building support with a view to strengthening Mexico's sea turtle protection program. Both governments will continue to actively seek further engagement opportunities to ensure renewal of Mexican certification within the shortest period of time consistent with the requirements of U.S. law.

**DATES:** *Effective Date:* On publication.

**FOR FURTHER INFORMATION CONTACT:** James J. Hogan, III, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington, DC 20520-7818; telephone: (202) 647-2252.

**SUPPLEMENTARY INFORMATION:** Section 609 of Public Law 101-162 prohibits imports of certain categories of shrimp unless the President certifies to the Congress not later than May 1 of each year either: (1) That the harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States and has an incidental take rate comparable to that of the United States; or (2) that the fishing environment in the harvesting nation does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State. Revised State Department guidelines for making the required certifications were published in the **Federal Register** on July 2, 1999 (Vol. 64, No. 130, Public Notice 3086).

The Department of State has communicated this decision under Section 609 to the Office of Field Operations of U.S. Customs and Border Protection.

This decision regarding withdrawal of Mexico's certification means that wild-harvest shrimp from Mexico's commercial trawl fisheries may not be imported into the United States until Section 609 certification for Mexico can be reinstated. A Department of State DS-2031 form signed by the exporter and importer must accompany all shrimp imports into the United States. If shrimp products are from a non-certified country, a government official of the harvesting nation must also certify the shrimp was caught without

harming sea turtles. Users should check boxes 7(A)(1) for aquaculture shrimp products or 7(A)(3) for artisanal shrimp products. Users should note that exception 7.A.(2) on the form "Harvested Using TEDs," while a currently valid exception to the prohibition on imports from nations not certified under Public Law 101-162, is only available once the Department of State determines in advance that a country wishing to use this exception has in place an enforcement and catch segregation system for making such individual shipment certifications. Presently, only Brazil and Australia have shown that they have a system in place for specific fisheries. Exception 7(A)(4) is for other case-by-case, special circumstance determinations made by the Department of State in advance. For these reasons exceptions 7(A)(2) and 7(A)(4) are not applicable to imports of wild-caught shrimp from Mexico.

Dated: March 24, 2010.

**David A. Balton,**

*Deputy Assistant Secretary for Oceans and Fisheries, Department of State.*

[FR Doc. 2010-7221 Filed 3-30-10; 8:45 am]

**BILLING CODE 4710-09-P**

**DEPARTMENT OF STATE**

[Public Notice 6463]

**U.S. Department of State Advisory Committee on Private International Law: Organization of American States (OAS) Specialized Conference on Private International Law (CIDIP) Study Group**

The OAS CIDIP Study Group will hold another public meeting to continue the discussion that began at the December 15, 2009 and continued at two additional meetings. This is not a meeting of the full Advisory Committee.

In the context of the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), the Committee on Juridical and Political Affairs (CJAP) of the Permanent Council of the OAS is carrying out work on consumer rights as part of its program on private international law. Three proposals have been put forward: A revised Brazilian draft convention on applicable law that has recently been expanded to include jurisdiction, a Canadian draft model law on applicable law and jurisdiction, and a United States proposal (with several components) for legislative guidelines/model laws/rules to promote consumer redress mechanisms such as small claims tribunals, collective procedures, on-line dispute resolution, and

<sup>9</sup> 17 CFR 200.30-3(a)(12).

government actions. The U.S. is considering the possibility of expanding its existing proposal.

The United States is also considering whether to pursue ratification of the Inter-American Convention on the Law Applicable to International Contracts (known as the Mexico City Convention), which was adopted at the Fifth Inter-American Specialized Conference on Private International Law (CIDIP-V). The United States is exploring the process for obtaining official corrections to the English text of the Convention to conform to the Spanish version. Copies of proposed corrections to the English text can be obtained through the contact points listed below. Other developments which may be relevant to work at the OAS include the proposal at UNCITRAL for future work on on-line dispute resolution and the establishment by the Permanent Bureau of the Hague Conference on Private International Law of an experts group to consider development of a non-binding instrument on choice of law in international commercial contracts.

*Time and Place:* The public meeting of the Study Group will take place in Room 240, South Building, 2430 E Street, NW., Washington, DC on April 9, 2010. Visitors should enter by the gate at the southwest corner of 23rd and C Streets not later than 12:45 p.m. EDT. The meeting will begin at 1 p.m. and is expected to last no later than 4 p.m. If you are unable to attend the public meeting and would like to participate from a remote location, teleconferencing will be available.

*Public Participation:* This Study Group meeting is open to the public, subject to the capacity of the meeting room. Access to the meeting building is controlled; persons wishing to attend should contact Tricia Smeltzer or Niesha Toms of the Department of State Legal Adviser's Office at [SmeltzerTK@state.gov](mailto:SmeltzerTK@state.gov) or [TomsNN@state.gov](mailto:TomsNN@state.gov) and provide your name, e-mail address, and mailing address to get admission into the meeting or to get directions to the office. Please contact Ms. Smeltzer for additional meeting information, any of the documents referenced above, or dial-in information on the conference call. A member of the public needing reasonable accommodation should advise those same contacts not later than April 7th. Requests made after that date will be considered, but might not be able to be fulfilled. Persons who cannot attend or participate by conference call but who wish to comment on any of the topics referred to above are welcome to do so by e-mail

to Michael Dennis at [DennisMJ@state.gov](mailto:DennisMJ@state.gov).

Dated: March 25, 2010.

**Michael Dennis,**

*Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, Department of State.*

[FR Doc. 2010-7218 Filed 3-30-10; 8:45 am]

**BILLING CODE 4710-08-P**

## DEPARTMENT OF STATE

[Public Notice 6937]

### Waiver of Restriction on Assistance to the Government of Libya

Pursuant to section 7086(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F, Pub. L. 111-117) ("the Act"), and Department of State Delegation of Authority Number 245-1, I hereby determine that it is important to the national interest of the United States to waive the requirements of section 7086(c)(1) of the Act with respect to the Government of Libya, and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: March 22, 2010.

**Jacob J. Lew,**

*Deputy Secretary of State for Management and Resources.*

[FR Doc. 2010-7222 Filed 3-30-10; 8:45 am]

**BILLING CODE 4710-31-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending March 20, 2010

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (*See* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2010-0067.

*Date Filed:* March 18, 2010.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 8, 2010.

*Description:* Application of Virgin America Inc. requesting a certificate of public convenience and necessity to engage in foreign scheduled air transportation of persons and mail between the United States and Canada.

*Docket Number:* DOT-OST-2010-0071.

*Date Filed:* March 19, 2010.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* April 9, 2010.

*Description:* Application of White Airways, S.A. ("White") requesting a foreign air carrier permit that will enable White to engage in: (i) Foreign charter air transportation of persons, property and mail from any point or points behind any Member State of the European Union, via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; (ii) foreign charter air transportation of persons, property and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; and (iii) other charters. White also requests renewal of its exemption authority to enable White to engage in the above-described operations pending issuance of its foreign air carrier permit.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2010-7176 Filed 3-30-10; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending March 20, 2010

The following Agreements were filed with the Department of Transportation under sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 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-2010-0064.

*Date Filed:* March 16, 2010.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC31 North & Central Pacific, Special Passenger Amending Resolution