

Commission finds that the proposed rule change is consistent with section 6(b)(4) of the Act,<sup>13</sup> which requires that the rules of the Exchange provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities. The Commission believes that the extension of the Linkage fee pilot until July 31, 2008 will give the Exchange and the Commission further opportunity to evaluate whether such fees are appropriate.

The Commission also finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of the notice of filing thereof in the **Federal Register**. The Commission believes that granting accelerated approval of the proposed rule change will preserve the Exchange's existing pilot program for Linkage fees without interruption as the Exchange and the Commission continue considering the appropriateness of Linkage fees. Therefore, the Commission finds good cause, consistent with section 19(b)(2) of the Exchange Act,<sup>14</sup> to approve the proposed rule change on an accelerated basis.

## V. Conclusion

It is therefore ordered, pursuant to section 19(b)(2) of the Act,<sup>15</sup> that the proposed rule change (SR-Phlx-2007-52), be and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>16</sup>

Nancy M. Morris,  
Secretary.

[FR Doc. E7-15094 Filed 8-2-07; 8:45 am]

BILLING CODE 8010-01-P

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## DEPARTMENT OF STATE

[Public Notice: 5873]

### 30-Day Notice of Proposed Information Collection: DS 4079, Questionnaire-Information for Determining Possible Loss of United States Citizenship, (New-OMB No.1405-XXXX)

**ACTION:** Notice of request for public comments 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: Questionnaire:* Information for Determining Possible Loss of United States Citizenship.
- *OMB Control Number:* New-OMB No.1405-XXXX.
- *Type of Request:* New Information Collection.
- *Originating Office:* Bureau of Consular Affairs, Overseas Citizens Services (CA/OCS).
- *Form Number:* DS 4079.
- *Respondents:* United States Citizens.
- *Estimated Number of Respondents:* 2,298.
- *Estimated Number of Responses:* 2,298.
- *Average Hours per Response:* 15 minutes.
- *Total Estimated Burden:* 575 hours.
- *Frequency:* On Occasion.
- *Obligation to Respond:* Required to obtain or retain benefits.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from August 3, 2007.

**ADDRESSES:** *You may submit comments by any of the following methods:* Direct comments and questions to Katherine Astrich, the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB), who may be reached at 202-395-4718. You may submit comments by any of the following methods:

- *E-mail:* [kastrich@omb.eop.gov](mailto:kastrich@omb.eop.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.
- *Mail (paper, disk, or CD-ROM submissions):* Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.
- *Fax:* 202-395-6974.

You must include the DS form number (if applicable), information collection title, and OMB control number in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to 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) 736-9028 or [ASKPRI@state.gov](mailto:ASKPRI@state.gov).

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

- Evaluate whether the proposed information collection is necessary for the proper performance of 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, including the use of automated collection techniques or other forms of technology.

### Abstract of Proposed Collection

The purpose of the DS-4079 questionnaire is to determine current citizenship status and the possibility of loss of United States citizenship. The information provided in the questionnaire assists consular officers and the Department of State in determining if the U.S. citizen has lost his or her nationality by voluntarily performing an expatriating act with the intention of relinquishing United States nationality.

### Methodology

The information is collected in person, by fax, or via mail. The Bureau of Consular Affairs is currently exploring options to make this information collection available electronically.

Dated: July 18, 2007.

**Maura Harty,**

*Assistant Secretary, Bureau of Consular Affairs, Department of State.*

[FR Doc. E7-15132 Filed 8-2-07; 8:45 am]

BILLING CODE 4710-06-P

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## DEPARTMENT OF STATE

[Public Notice 5874]

### Notice of Finding of No Significant Impact from Construction of a New Livestock Crossing near San Luis, Arizona

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Department of State is publishing a Finding of No Significant Impact (FONSI) for the proposed construction of a new livestock crossing (the "San Luis Cattle Crossing") at the United States-Mexican border 2,500 feet (approximately half a mile) east of an existing livestock crossing near San Luis, Arizona. The closing of the existing livestock crossing and its relocation to this new location is necessitated by construction of the new San Luis II commercial border crossing

<sup>13</sup> 15 U.S.C. 78f(b)(4).

<sup>14</sup> 15 U.S.C. 78s(b)(2).

<sup>15</sup> 15 U.S.C. 78s(b)(2).

<sup>16</sup> 17 CFR 200.30-3(a)(12).

(scheduled to begin in the summer of 2007) at the location of the existing livestock crossing.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel Darrach, Coordinator of Border Affairs, Office of Mexican Affairs, Bureau of Western Hemisphere Affairs, U.S. Department of State, 2201 C Street NW., Washington, DC 20520, phone 202-647-8529, or e-mail: [DarrachDD@state.gov](mailto:DarrachDD@state.gov).

**SUPPLEMENTARY INFORMATION:** The following represents the text of the State Department approved FONSI—The Greater Yuma Port Authority (“GYPA”) has submitted an application for a Presidential permit to relocate the existing livestock crossing at the United States-Mexico border near San Luis, Arizona and San Luis Rio Colorado, Sonora to a location about one half of a mile east. Some 60,000 steers and several hundred horses pass through the existing livestock crossing annually, mostly in winter. The Department of State (the “Department”) has determined that under Executive Order 11423, as amended, a Presidential permit is required for the relocated livestock crossing since it would involve a new piercing of the United States-Mexico border.

The closing of the existing livestock crossing and its relocation 2,500 feet to the east is required as a result of the planned construction of the new San Luis II commercial port of entry (“POE”), on the site of the original livestock crossing. On June 13, 2007, the Department issued a Presidential permit for the San Luis II POE.

The National Environment Policy Act (“NEPA”) requires that a No Action alternative be considered in the environmental review process. The result of the No Action alternative would be that the existing livestock crossing would impede the construction of the commercial border crossing itself and the pre-primary queuing area of the San Luis II POE. Odors emanating from the existing livestock crossing would also cause unpleasant conditions at the San Luis II POE.

The affected natural environment consists of water sources, landforms, plants, and animals native to the Sonoran Desert ecosystem. One threatened plant species, the sand food, and one threatened animal species, the flat-tailed horned lizard (“FTHL”) inhabit the project area. There are no unique geological resources or sources of surface water within the project area and no plans to drill for groundwater. The affected human environment consists of the nearby cities of San Luis, Arizona and San Luis Rio Colorado,

Sonora. No prehistoric or historic remains were found within the project area.

In order to provide optimal conditions for the transient traveling public and employees stationed at the San Luis II POE, a new livestock crossing must be an adequate distance from the San Luis II POE. The site of the proposed new livestock crossing takes account of wind direction and building orientation. Distance is the primary factor in mitigating odors. The new livestock crossing would be about 2,500 feet from the closest occupied building on the land containing the San Luis II POE. For the few states with setback standards for odors, a distance of more than 1,500 feet for facilities with up to 3,000 cattle is considered sufficient protection against odors. There is no problematic odor associated with horses.

How manure is managed (how often the pens are cleaned, how manure is stored, where and when manure is spread, whether straw is put down, etc.) has a dramatic effect on how much odor is present. Whatever odor is generated will rise directly above the pens in a plume the width of the combined areas of the pens. During the day, the sun warms the surface soil, and the rising air currents disperse the odor plume. Odor complaints usually arise during the night or early morning when the air is still. The direction and dissipation of odor depends largely on wind direction and velocity and air drainage, which are linked to topography and climate.

The prevailing winds for the site tend to be from the north in October–February, from the west in March–May, and from the south-southeast in June–September. The proposed site of the new livestock crossing, one half-mile east of the San Luis II POE, appears to be a favorable location since it is typically downwind of the POE and is relatively flat. Flat sites with good air movement tend to be appropriate locations to build livestock facilities.

No major adverse environmental effects are expected from the Proposed Action alternative if proper mitigation measures are implemented. The project could affect biological resources, undiscovered cultural resources, growth, and other environmental factors. However, the project must comply with federal law, including any conditions of approval, which would consequently mitigate any potential adverse effects. The conditions of approval (mitigation measures) are described below.

As described above, the No Action alternative is not feasible.

In 2000, the Bureau of Reclamation (“BoR”) of the Department of the

Interior relied on an Environmental Assessment (EA) prepared by Barton-Aschmann Associates, Inc. in reaching a finding that the transfer of land from the BoR to the GYPA for construction of the San Luis II commercial POE would have No Significant Impact on the environment (“FONSI”). The 2000 BoR FONSI included a requirement that the GYPA implement conservation measures recommended by the U.S. Fish and Wildlife Service (“USFWS”) in its Conference Opinion for the FTHL by retaining an onsite biological monitor during construction and operation of the POE. In 2002, the GYPA and BoR requested modification of the original Conference Opinion regarding this monitoring requirement. As a result of the modified Conference Opinion, and in lieu of hiring a full-time biological monitor, the GYPA agreed to implement the conservation measures included in the Conference Opinion with respect to the parcel acquisition, construction and subsequent operation of the proposed commercial POE and the paving and subsequent use of the Yuma County Avenue E access road. The Department had concluded that the GYPA will be required to implement these conservation measures as a condition of approval of the Presidential permit for the livestock crossing.

### Findings

1. The General Services Administration has previously published in the **Federal Register** (72 FR 7658–01, February 16, 2007) its determination that a new commercial POE on the United States-Mexico border near San Luis, Arizona and San Luis Rio Colorado, Sonora to accommodate current and future regional transportation requirements will not significantly affect the quality of the human environment.

2. All NEPA procedural requirements have been met, including a 30-day public notice period and coordination with federal, state, and local government agencies, as well as with Native Americans tribes.

3. The environmental commitments (mitigation measures) will offset any negative impacts identified by the BoR EA (referenced above).

4. No disputes or controversies have arisen regarding the accuracy or presentation of environmental effects, as documented in the BoR EA.

5. Relocation of the existing livestock crossing will not result in cumulative significant impacts.

6. The Department has been advised by the Arizona State Historic Preservation Officer that the Officer concurs with the finding of “no effect”

regarding the project's impact on significant cultural resources.

7. Implementation of the project will not adversely affect any threatened or endangered species as long as the conservation measures for the flat-tailed horned lizard and sand food are implemented during relocation of the livestock crossing.

8. All soil disturbance and shrub removal will be minimized during relocation.

9. Implementation of this action will have no adverse impact on any Indian Trust Assets.

10. Implementation of this action will not violate federal, state, or local law.

#### Mitigation Measures

1. The relocation of the existing livestock crossing to the site specified in the application obviates the need for further mitigation measures with respect to odors emanating from the transient presence of livestock through and at the new livestock crossing.

2. Mitigation measures for the San Luis II POE are applicable in so far as relevant to the relocated livestock crossing. The mitigation measures listed in the final FONSI (signed April 15, 2007) can be viewed on the GSA Web site at <http://www.gsa.gov/nepa>.

In accordance with NEPA (42 U.S.C. 4321 *et seq.*), the regulations of the Council on Environmental Quality (40 CFR 1500–1508), and the Department's implementing regulations (22 CFR Part 161, and in particular 22 CFR 161.7(c)), the Department finds that the project described in the attached EA is not a federal action significantly affecting the quality of the human environment. Therefore, no Environmental Impact statement will be prepared.

The Finding of No Significant Impact will become final thirty (30) days after the publication of this notice, provided that no information leading to a contrary finding is received or comes to light during this period.

Dated: July 27, 2007.

**Daniel D. Darrach,**

*Acting Director, Office of Mexican Affairs,  
Department of State.*

[FR Doc. E7–15136 Filed 8–2–07; 8:45 am]

**BILLING CODE 4710–29–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Seventh Meeting: Special Committee 209, EUROCAE WG–49 Joint Plenary Session ATCRBS/Mode S Transponder MOPS Maintenance

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of RTCA Special Committee 209, EUROCAE WG–49 Joint Plenary Session ATCRBS/Mode S Transponder MOPS Maintenance.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 209, EUROCAE WG–49 Joint Plenary Session ATCRBS/Mode S Transponder MOPS Maintenance.

**DATES:** The meeting will be held August 20, 2007 from 10 a.m.–5 p.m. and August 21–24 from 9 a.m.–5 p.m.

**ADDRESSES:** Eurocontrol Headquarter, Brussels Belgium, Sirius Conference Room.

**FOR FURTHER INFORMATION CONTACT:** Host Contact: Eric Potier; telephone +322–729–3504, e-mail [eric.potier@eurocontrol.int](mailto:eric.potier@eurocontrol.int) (2) Secretary Contact: Gary Furr; telephone (609) 485–4254, e-mail [gary.ctr.furr@faa.gov](mailto:gary.ctr.furr@faa.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 209 meeting. *The agenda will include:*

- August 20–24:*
  - Host/Co-Chairs Welcome, Introductions and Remarks
  - Review and Approval of the Agenda (SC209–WP07–01)
  - Review and Approval of the Minutes form SC–209WG #1, Mtg (SC209 WP07–02)
  - Review and Approval of the Minutes from WG–49 Meeting #10 (WG49N10)
    - Summary of the Status of EUROCAE WG–49 Activities
    - Summary of the Status of RTCA SC–209 Activities
    - Summary of “Airborne Monitoring Results” from CASCADE Program Office (Scheduled for Thursday, 23 August @ 1 p.m.)
    - Discussion on harmonization of DO–181/ED–73 document organization
    - Organization of the Appendices (WG19N11–02)
      - ED–73, Chapter 3 and Chapter 5
      - Review of Final Proposal for TCAS Version Number and 735B Comments
      - Ronald Mallwitz Comments to AEEC

- Discussion of Potential Changes in Comm–B Protocol Requirements and Tests

- Previously submitted Working Papers (ModeS–WP01–05, ModeS–WP01–06)

- Discussion of Issues resulting from review of Differences in DO–181/ED–73
  - Differences potentially impacting ED–73 (WG49N11–09, ModeS–WP01–06)

- Differences potentially impacting DO–181 (WG49N11–10)
  - Maximum Mode A/C Reply Rate Requirement

- Discuss the Harmonization of ELS and EHS Requirements and Test Procedures
  - Draft v1.0 of Do–181D containing integrated ELS/EHS (SC209–WP07–07)

- Review of SARPs changes that have resulted in potential changes to both MOPS
  - List SARP's CPs going to Annex 10 Amendment 82 (SC209–WP07–05)

- Discuss the Environmental Test Philosophies between DO–181–D & ED–73C
  - WG–49 Agreed upon Reduced Tests Modifications (WG19N11–03)

- WG–49 Agreed upon Reorganization of ED–73C, Chapter 4 (WG49N11–04)
  - WG–49 Proposed Environmental Test List (WG49N11–08)

- NTSB Recommendation Regarding Standby Mode Indication for TCAS/ACAS and Transponder (SC209–SP07–08)
  - Status of the ED–73B/DO–181 Requirements Comparison data base
    - (SC209–WP07–\_\_)

- Discussion on the Status of the update of the ATCRBS MOPS (DO–144)
  - (SC209–WP07–\_\_)
  - Review of Identified Open Issues in DO–181D (SC209–WP07–09)
  - Review Status of Action Items and Joint Plenary Agreements
    - Closing Plenary Session (Date, Place and Time of Future Meetings, Discussion of Agenda topic for Next Meeting(s), Other Business, Adjourn).

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, July 27, 2007.

**Francisco Estrada C.,**  
*RTCA Advisory Committee.*  
[FR Doc. 07–3780 Filed 8–2–07; 8:45 am]

**BILLING CODE 4910–13–M**