

time if such action is consistent with the protection of investors and the public interest. The Exchanges have asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing.

The Commission believes waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Acceleration of the operative date will enable the Exchanges to clarify and strengthen their process to resolve uncompleted transactions or unresolved account imbalances without undue delay while still affording interested parties the opportunity to submit comments or concerns to the Commission regarding these proposals. The new processes should instill greater confidence among the Exchanges' members and investors that such situations will be handled in an orderly and expeditious manner. For these reasons, the Commission designates the proposal to be effective and operative upon filing with the Commission.<sup>16</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File No. SR-NYSE-2009-50 or NYSEAmex-2009-20 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

<sup>16</sup> For purposes only of waiving the 30-day operative delay of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f). The Exchange provided the Commission written notice of its intent to file the proposed rule change at least five business days prior to filing.

All submissions should refer to File No. SR-NYSE-2009-50 or NYSEAmex-2009-20. At least one of these file numbers 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 inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549-1090 on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing will also be available for inspection and copying at the Exchanges principal offices and on NYSE's Internet Web site at <http://www.nyse.com>. 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 No. SR-NYSE-2009-50 or NYSEAmex-2009-20 and should be submitted on or before July 6, 2009.

For the Commission by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

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

[FR Doc. E9-13807 Filed 6-11-09; 8:45 am]

**BILLING CODE 8010-01-P**

#### DEPARTMENT OF STATE

[Public Notice 6660]

##### **Culturally Significant Objects Imported for Exhibition Determinations: "Tim Burton"**

**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 objects to be included in the exhibition "Tim Burton," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Museum of Modern Art, New York, NY, from on or about November 22, 2009, until on or about April 26, 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**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (*telephone:* (202-453-8050). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: June 5, 2009.

**C. Miller Crouch,**

*Acting Assistant Secretary for Educational and Cultural Affairs,*

Department of State.

[FR Doc. E9-13878 Filed 6-11-09; 8:45 am]

**BILLING CODE 4710-05-P**

#### DEPARTMENT OF STATE

[Public Notice 6659]

##### **State-68, Office of the Coordinator for Reconstruction and Stabilization Records**

**SUMMARY:** Notice is hereby given that the Department of State proposes to alter an existing system of records, Office of the Coordinator for Reconstruction and Stabilization Records, State-68, pursuant to the provisions of the Privacy Act of 1974, as amended (5 U.S.C. 552a) and Office of Management and Budget Circular No. A-130, Appendix I. The Department's report was filed with the Office of Management and Budget on June 5, 2009.

It is proposed that the current system will retain the name "Office of the Coordinator for Reconstruction and Stabilization Records." It is also proposed that due to the expanded scope of current system, the altered system description will include

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

revisions and/or additions to the following sections: Categories of Individuals Covered by the Systems, Categories of Records in the System, Purpose, Routine Uses of Records Maintained in the System, Safeguards, and Retrievability. Changes to the existing system description are proposed in order to reflect more accurately the Office of the Coordinator for Reconstruction and Stabilization Records participation in the Civilian Response Corp mission.

Any persons interested in commenting on the altered system of records may do so by submitting comments in writing to Margaret P. Grafeld, Director; Office of Information Programs and Services; A/GIS/IPS; Department of State, SA-2; 515 22nd Street, Washington, DC 20522-8001. This system of records will be effective 40 days from the date of publication, unless we receive comments that will result in a contrary determination.

The altered system description, "Office of the Coordinator for Reconstruction and Stabilization Records, State-68," will read as set forth below.

Dated: June 5, 2009.

**Steven J. Rodriguez,**

*Deputy Assistant Secretary for Operations,  
Bureau of Administration, Department of  
State.*

#### **STATE-68**

##### **SYSTEM NAME:**

Office of the Coordinator for Reconstruction and Stabilization Records

##### **SECURITY CLASSIFICATION:**

Unclassified

##### **SYSTEM LOCATION:**

Department of State, SA-3, 2121 Virginia Avenue, NW., Washington, DC 20520.

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who have been or will be involved in international Reconstruction and Stabilization activities and individuals who offer to participate in potential future overseas reconstruction and stabilization activities in a foreign deployment or in a management function based in Washington, DC, and/or in domestic training and civilian-military exercises.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 108-447, Div B, Title IV, § 408, 118 Stat. 2904 (Consolidated Appropriations Act, 2005).

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Categories of records in this database system include: Name; social security number; date of birth; citizenship; contact information such as mailing addresses; e-mail, and/or phone numbers; passport number, date of expiration, place of issuance; driver's license number, date of expiration and state where issued; personnel's height; weight; hair color; eye color; blood type; language skills; military service, if any; prior related experience; security clearance status; medical clearance; inoculation/immunization record; and personal gear/clothing sizes.

##### **PURPOSE:**

The information in this system will be used to assist the Office of the Coordinator for Reconstruction and Stabilization to carry out its mandate to lead, coordinate, and institutionalize international reconstruction and stabilization activities of the U.S. Government.

The database shall be compiled and used to categorize and identify individuals from various U.S. Government Agencies to participate in Civilian Response Corps missions and other international Reconstruction and Stabilization activities.

##### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:**

The information in the Office of the Coordinator for Reconstruction and Stabilization Records may be shared:

With any and all U.S. Government Agencies involved in Reconstruction and Stabilization operations (including, but not limited to: United States Agency for International Development, Department of Justice, Department of Homeland Security, Department of Commerce, Department of Agriculture, Department of Health and Human Services and Department of Treasury) in order to coordinate U.S. efforts in international Reconstruction and Stabilization, determine which members are available and best qualified for particular missions, and manage and select individuals who have been hired or agreed to deploy overseas in support of Reconstruction and Stabilization efforts of the U.S. Government;

With United Nations, NATO or similar international organizations, for the purpose of coordinating personnel engaged in specific Reconstruction and Stabilization activities;

With U.S. and NATO military installations for the purpose of sharing information necessary for security checks and to obtain access to military facilities, including manifesting on military aircraft;

In addition, the Department of State may disclose records from this system to entities outside the Department:

To provide other Federal agencies information needed in the performance of their official duties to support the functions for which the records were intended, i.e., reconstruction and stabilization activities;

To provide information to other Federal agencies, state governments, foreign governments and international organizations where employees are being considered for detail, assignment or secondment;

To disclose information to officials of foreign governments and other U.S. Government Agencies for clearance before a Federal employee is assigned to that country as well as for the procurement of necessary services for American personnel assigned overseas, such as permits of free entry and identity cards;

To provide information on employees for the benefit of these employees to attorneys, union representatives or other persons designated in writing by those employees who are the subject of the information to represent them in complaints, grievances, or other litigation;

The Department of State periodically publishes in the **Federal Register** its standard routine uses that applies to all its Privacy Act systems of records. These notices appear in the form of a Prefatory Statement. These standard routine uses apply to the Office of the Coordinator for Reconstruction and Stabilization Records, State-68.

##### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**

##### **STORAGE:**

Electronic media; hard copy.

##### **RETRIEVABILITY:**

Individual's name, designated specialty in international reconstruction and stabilization operations, international reconstruction and stabilization training, foreign language skills, and pertinent skills.

##### **SAFEGUARDS:**

All Department of State employees and contractors with authorized access have undergone a thorough background security investigation. All users are given information system security awareness training, including the procedures for handling Sensitive But Unclassified and personally identifiable information. Annual refresher training is mandatory. Before being granted access to Office of the Coordinator for Reconstruction and Stabilization

Records, a user must first be granted access to Department of State computer systems.

Remote access to the Department of State network from non-Department owned systems is only authorized through a Department-approved access program. Remote access to the network is configured with Office of Management and Budget Memorandum M-07-16 security requirements of two factor authentication and time-out functions.

Access to the Department and its annexes is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals under proper escort. All records containing personal information are maintained in secured filing cabinets or in restricted areas, access to which is limited to authorized personnel. Servers are stored in Department of State secured facilities in cipher locked server rooms. Access to electronic files is password-protected and under the direct supervision of the system manager. The system manager has the capability of printing audit trails of access from the computer media, thereby permitting regular and ad hoc monitoring of computer usage.

#### RETENTION AND DISPOSAL:

These records will be maintained with published record disposition schedules of the Department of State as approved by the National Archives and Records Administration. More specific information may be obtained by writing to the Director, Office of Information Programs and Services, A/GIS/IPS, SA-2, Department of State, 515 22nd Street NW., Washington, DC 20522-8100.

#### SYSTEM MANAGER AND ADDRESS:

Office of the Coordinator for Reconstruction and Stabilization, Department of State, SA-3, 2121 Virginia Avenue NW., Washington, DC 20520.

#### NOTIFICATION PROCEDURE:

Individuals who have reason to believe that the Office of the Coordinator for Reconstruction and Stabilization might have records pertaining to them should write to the Director, Office of Information Programs and Services, A/GIS/IPS, SA-2, Department of State, 515 22nd Street NW., Washington, DC 20522-8100. The individual must specify that he or she wishes the records of the Office of the Coordinator for Reconstruction and Stabilization to be checked. At a minimum, the individual should include: Name; date and place of birth; current mailing address and zip code;

signature; a brief description of the circumstances that caused the creation of the record (including the city and/or country and the approximate dates) which gives the individual cause to believe that the Office of the Coordinator for Reconstruction and Stabilization has records pertaining to him or her.

#### RECORD ACCESS AND AMENDMENT PROCEDURES:

Individuals who wish to gain access to, or to amend records pertaining to, themselves should write to the Director, Office of Information Programs and Services (address above).

#### RECORD SOURCE CATEGORIES:

These records contain information that is obtained from the individual who is the subject of the records.

#### SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(k)(6) records in this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f).

[FR Doc. E9-13877 Filed 6-11-09; 8:45 am]

BILLING CODE 4710-24-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2009-0092]

### Notice of Request for Continuation of Data Collection

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Department of Transportation's (DOT) intention to extend the use of OMB# 2105-0557 Applicant Background Questionnaire.

**DATES:** Comments on this notice must be received by August 11, 2009.

**ADDRESSES:** You may submit comments identified by DOT Docket Number DOT-OST-2009-0092 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Room W12-140, Washington, DC 20590-001, between the hours of 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* 1-202-493-2251.

*Instructions:* All submissions must include the agency name and docket

number. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or you may visit Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Room W12-140, Washington, DC 20590, between the hours of 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Deborah Perkins, Departmental Office of Human Resources, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, (202) 366-9447.

#### SUPPLEMENTARY INFORMATION:

*Title:* Applicant Background Questionnaire.

*OMB Control Number:* OMB# 2105-0557.

*Type of Request:* Renewal of a previously approved document.

*Abstract:* The purpose of the collection is to standardize the collection of race, ethnicity, sex, national origin, and disability status from applicants for positions within all DOT Operating Administrations. This information will assist the DOT in monitoring programs and will be the basis for several different reports required by statute.

*Background:* The DOT is required to analyze the civil rights impact(s) of policies, actions, or decisions that affect Federally conducted programs and activities, and the DOT workforce. In order to assess the civil rights impact, data on recruitment, employment, and diversity must be analyzed in a consistent manner with respect to the race, ethnicity, sex, national origin, disability status, and age of applicants and employees.

The goal of this collection is to provide a method for the comprehensive collection of race, ethnicity, sex, national origin, and disability status and thereby reduce the burden on applicants and employees to provide this type of information.

*Respondents:* Employees upon initial hire and applicants for positions.

*Estimated Number of Respondents:* 93,000.

*Estimated Total Burden on Respondents:* 3 minutes.