

Dated: November 6, 2009.

**Karen A. Cook,**

*General Counsel.*

[FR Doc. E9-27390 Filed 11-13-09; 8:45 am]

**BILLING CODE 4310-4R-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** [74 FR 57718, November 9, 2009].

**STATUS:** Closed meeting.

**PLACE:** 100 F Street, NE., Washington, DC.

**DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING:** November 12, 2009 at 2 p.m.

**CHANGE IN THE MEETING:** Additional Item.

The following matter will also be considered during the 2 p.m. closed meeting scheduled for Thursday, November 12, 2009, at 2 p.m.:

Consideration of Amicus participation.

Commissioner Paredes, as duty officer, voted to consider the item listed for the closed meeting in closed session, and determined that no earlier notice thereof was possible.

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: November 10, 2009.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. E9-27443 Filed 11-12-09; 11:15 am]

**BILLING CODE 8011-01-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, November 19, 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 Paredes, 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, November 19, 2009 will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings; 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: November 12, 2009.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. E9-27537 Filed 11-12-09; 4:15 pm]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Inflation Adjustments to Liability Limits Governed by the Montreal Convention Effective December 30, 2009

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** The Department is publishing guidance to U.S. and certain foreign air carriers on inflation adjustments to liability limits of air carriers and foreign air carriers under the Montreal Convention.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Lowry, Attorney, Office of Aviation Enforcement and Proceedings (C-70), 1200 New Jersey Ave., SE., Washington, DC 20590, (202) 366-9349.

**SUPPLEMENTARY INFORMATION:** This notice provides guidance to U.S. and certain foreign air carriers on inflation adjustments to liability limits of air carriers and foreign air carriers under the Montreal Convention (Convention).<sup>1</sup>

<sup>1</sup> Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on May 28, 1999.

The adjustments affect limits on liability for damages for passenger death or injury, delay in passenger's arrival, and the loss, delay or damage to baggage or cargo, increasing those limits by approximately 13 percent and will be effective in December 2009. The U.S. and foreign air carriers affected by these changes to the Convention include those providing international carriage between countries that, like the United States, are parties to the Convention, and all who provide round trip foreign air transportation that originates and terminates in the United States.

The liability limits are those set out in Articles 21 and 22 of the Montreal Convention. Under Article 24 of the Convention, ICAO is to review those limits every five years in light of inflation that has occurred during that period. In a note of June 30, 2009, the Secretary General of ICAO advised parties to the Convention of revisions required pursuant to this review. These revisions are as follows, stated in Special Drawing Rights (SDRs):<sup>2</sup> for destruction, loss, damage or delay of cargo 19 per kilogram (currently 17); for destruction, loss, damage, or delay of baggage, per passenger, 1,131 (currently 1,000); for delay in carriage of passengers, 4,694 (currently 4,150); "strict liability" for death or bodily injury to passengers, 113,100 (currently 100,000). The revised amounts reflect inflation between 2003 and 2008 in the countries whose currencies comprise the SDR.

Pursuant to the terms of Article 24, the increased limits will take effect six months following the notice referred to above, or December 30, 2009. Carriers should, therefore, revise their contracts of carriage, tariffs, required notices, and practices to conform to the Convention's requirements. Failure to implement in a timely manner the revised liability limits and required notices would, in the view of the Aviation Enforcement Office, constitute an unfair or deceptive business practice and unfair method of competition in violation of 49 U.S.C. 41712. This disclosure guidance, it should be noted, also extends to ticket agents and indirect air carriers. Questions regarding this notice may be addressed to the Office of Aviation Enforcement and Proceedings (C-70), U.S. Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590.

<sup>2</sup> The SDR, an international reserve asset, is a defined basket of major currencies periodically reviewed by the International Monetary Fund to reflect the relative importance of the constituent currencies. As of October 28, 2009, the U.S. dollar value of the SDR was \$1.58.

Dated: November 9, 2009.

An electronic version of this document is available at <http://www.regulations.gov>.

**Samuel Podberesky,**

*Assistant General Counsel for Aviation Enforcement and Proceedings.*

[FR Doc. E9-27386 Filed 11-13-09; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF TRANSPORTATION

### Research & Innovative Technology Administration

[Docket ID Number RITA 2008-0002]

#### Agency Information Collection; Activity Under OMB Review; Part 249 Preservation of Records

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS requiring certificated air carriers to preserve accounting records, consumer complaint letters, reservation reports and records, system reports of aircraft movements, etc. Also, Public charter operators and overseas military personnel charter operators are required to retain certain contracts, invoices, receipts, bank records and reservation records.

**DATES:** Written comments should be submitted by January 15, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bernie Stankus, Office of Airline Information, RTS-42, Room E34-409, RITA, BTS, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001, Telephone Number (202) 366-4387, Fax Number (202) 366-3383 or EMAIL [bernard.stankus@dot.gov](mailto:bernard.stankus@dot.gov).

*Comments:* Comments should identify the associated OMB approval # 2138-0006 and Docket—RITA 2008-0002. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB # 2138-0006, Docket—RITA 2008-0002. The postcard will be date/time stamped and returned.

#### SUPPLEMENTARY INFORMATION:

*OMB Approval No.:* 2138-0006.

*Title:* Preservation of Air Carrier Records—14 CFR Part 249.

*Form No.:* None.

*Type of Review:* Extension of a currently approved recordkeeping requirement.

*Respondents:* Certificated air carriers and charter operators.

*Number of Respondents:* 90 certificated air carriers; 300 charter operators.

*Estimated Time per Response:* 3 hours per certificated air carrier; 1 hour per charter operator.

*Total Annual Burden:* 570 hours.

*Needs and Uses:* Part 249 requires the retention of records such as: general and subsidiary ledgers, journals and journal vouchers, voucher distribution registers, accounts receivable and payable journals and ledgers, subsidy records documenting underlying financial and statistical reports to DOT, funds reports, consumer records, sales reports, auditors' and flight coupons, air waybills, etc. Depending on the nature of the document, the carrier may be required to retain the document for a period of 30 days to 3 years. Public charter operators and overseas military personnel charter operators must retain documents which evidence or reflect deposits made by each charter participant and commissions received by, paid to, or deducted by travel agents, and all statements, invoices, bills and receipts from suppliers or furnishers of goods and services in connection with the tour or charter. These records are retained for 6 months after completion of the charter program.

Not only is it imperative that carriers and charter operators retain source documentation, but it is critical that we ensure that DOT has access to these records. Given DOT's established information needs for such reports, the underlying support documentation must be retained for a reasonable period of time. Absent the retention requirements, the support for such reports may or may not exist for audit/validation purposes and the relevance and usefulness of the carrier submissions would be impaired, since the data could not be verified to the source on a test basis.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in

regulatory and other administrative matters.

**Anne Suissa,**

*Director, Office of Airline Information.*

[FR Doc. E9-27408 Filed 11-13-09; 8:45 am]

BILLING CODE 4910-HY-P

## DEPARTMENT OF TRANSPORTATION

### Research & Innovative Technology Administration

[Docket ID Number RITA 2008-0002]

#### Agency Information Collection; Activity Under OMB Review; Passenger Origin-Destination Survey Report

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS collecting a sample of airline passenger itineraries with the dollar value of the passenger ticket. Certificated air carriers that operated scheduled passenger service with at least one aircraft having a seating capacity of over 60 seats report these data. Comments are requested concerning whether: (a) The collection is still needed by the Department of Transportation; (b) BTS accurately estimates the reporting burden; (c) there are other ways to enhance the quality, utility and clarity of the information collected; and (d) there are ways to minimize reporting burden, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted by January 15, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bernie Stankus, Office of Airline Information, RTS-42, Room E34-409, RITA, BTS, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001, Telephone Number (202) 366-4387, Fax Number (202) 366-3383 or e-mail [bernard.stankus@dot.gov](mailto:bernard.stankus@dot.gov).

*Comments:* Comments should identify the associated OMB approval # 2139-0001 and Docket ID Number RITA 2008-0002. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped