

relevant part, old Rules 312(h)– and 313–NYSE Amex Equities;

- Rule 4521—NYSE Amex Equities (Notifications, Questionnaires and Reports) replaced, in relevant part, old Rule 421—NYSE Amex Equities;

- Rule 4560—NYSE Amex Equities (Short-Interest Reporting) replaced old Rules 421(1)– and 421.10—NYSE Amex Equities; and

- Rule 5190—NYSE Amex Equities (Notification Requirements for Offering Participants) replaced old Rule 392—NYSE Amex Equities.<sup>4</sup>

These old Rules, or certain provisions thereof, are subject to the Exchange's Minor Rule Violation Plan under NYSE Amex Disciplinary Rule 476A. At the time the new Rules were adopted to replace the old Exchange Rules, however, they were not added to the Exchange's Minor Rule Violation Plan. The Exchange therefore proposes to update the Exchange's Minor Rule Violation Plan under NYSE Amex Disciplinary Rule 476A by adding the new rule references identified above.

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with, and furthers the objectives of, Section 6(b)(5) of the Act,<sup>5</sup> in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The proposed rule change also furthers the objectives of Section 6(b)(6) of the Act,<sup>6</sup> in that it provides for appropriate discipline for violations of Exchange rules and regulations.

The Exchange believes that the proposed rule change will provide the Exchange with greater regulatory flexibility to enforce the prescriptions of certain rules in a more informal manner while also preserving the Exchange's discretion to seek formal discipline for

more serious transgressions as warranted.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act<sup>7</sup> and Rule 19b-4(f)(3) thereunder.<sup>8</sup> Because the proposed rule change is concerned solely with the administration of the Exchange, the proposed rule change has become immediately effective upon filing pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(3) thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend 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 Number SR–NYSEAmex–2010–94 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.

All submissions should refer to File Number SR–NYSEAmex–2010–94. 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 the 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–NYSEAmex–2010–94 and should be submitted on or before October 15, 2010.

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

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

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## DEPARTMENT OF STATE

[Public Notice: 7163]

### U.S. Department of State Advisory Committee on Private International Law: Notice of Annual Meeting

The Department of State's Advisory Committee on Private International Law (ACPIL) will hold its annual meeting on developments in private international law on Thursday, October 28 and Friday, October 29, 2010 in Washington, DC. The meeting will be held at the Gewirz Student Center, Georgetown University Law Center, 600 New Jersey Avenue, NW., Washington, DC 20001.

<sup>4</sup> See Securities Exchange Act Release Nos. 59975 (May 26, 2009), 74 FR 26449 (June 2, 2009) (SR–NYSEAltr–2009–26) (adopting, *inter alia*, NYSE Amex Equities Rules 3130, 4560, 5190); 61157 (December 11, 2009), 74 FR 67939 (December 21, 2009) (SR–NYSEAmex–2009–88) (adopting NYSE Amex Equities Rule 2150); 61272 (December 31, 2009), 75 FR 1099 (January 8, 2010) (SR–NYSEAmex–2009–99) (adopting NYSE Amex Equities Rule 3310); 61556 (February 22, 2010), 75 FR 9468 (March 2, 2010) (SR–NYSEAmex–2010–13) (adopting, *inter alia*, NYSE Amex Equities Rules 4110, 4521). See also NYSE and NYSE Amex Information Memoranda 09–24 (June 2, 2009); 10–09 (February 18, 2010); 10–12 (March 11, 2010).

<sup>5</sup> 15 U.S.C. 78f(b)(5).

<sup>6</sup> 15 U.S.C. 78f(b)(6).

<sup>7</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>8</sup> 17 CFR 240.19b–4(f)(3).

<sup>9</sup> 17 CFR 200.30–3(a)(12); 200.30–3(a)(44).

The program is scheduled to run from 9:30 a.m. to 5 p.m. on Thursday and from 9 a.m. to 3 p.m. on Friday.

Time permitting, the discussion is expected to focus on developments in a number of areas, e.g., federalism issues in implementing private international law conventions (including the Hague Convention on Choice of Court Agreements, the UNCITRAL E-Commerce and Letter of Credit Conventions, and others); globalization and cross-border corporate insolvency; international arbitration; investment securities, market stability and treaty law; international family law; private international law initiatives in the OAS; on-line dispute resolution; and treaty-based finance law. We encourage active participation by all those attending.

Documents on these subjects are available at <http://www.hcch.net>; <http://www.uncitral.org>; <http://www.unidroit.org>; <http://www.oas.org>, and <http://www.nccusl.org>. We may, by e-mail, supplement those with additional documents.

Please advise as early as possible if you plan to attend. The meeting is open to the public up to the capacity of the conference facility, and space will be reserved on a first come, first served basis. Persons who wish to have their views considered are encouraged, but not required, to submit written comments in advance. Those who are unable to attend are also encouraged to submit written views. Comments should be sent electronically to [smeltzertk@state.gov](mailto:smeltzertk@state.gov). Those planning to attend should provide name, affiliation and contact information to Trish Smeltzer at 703-812-2382 or Niesha Toms at 703-812-2353, or by e-mail to [tomsnn@state.gov](mailto:tomsnn@state.gov). You may also use those contacts to obtain additional information. A member of the public needing reasonable accommodation should advise those same contacts not later than October 21st. Requests made after that date will be considered, but might not be able to be fulfilled.

September 15, 2010.

**Keith Loken,**

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

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**BILLING CODE 4710-08-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Environmental Impact Statement: Los Angeles and San Bernardino Counties, CA; Notice of Intent**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Withdrawal/Revised Notice of Intent (NOI).

**SUMMARY:** The FHWA, on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed New State Route 138 project in Los Angeles County, California (**Federal Register** Vol. 74, No. 16) and the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed High Desert Corridor project, State Route 18, in San Bernardino County, California (**Federal Register** Vol. 72, No. 197) are being withdrawn. In addition, this notice is being issued to advise the public that a draft EIS will be prepared for a proposed expanded High Desert Corridor—New State Route 138 project in Los Angeles and San Bernardino Counties, California.

**DATES:** Public scoping meetings will be held in:

- (1) Palmdale, CA on September 27, 2010, 6 p.m. to 8 p.m.
- (2) Lancaster, CA on September 28, 2010, 6 p.m. to 8 p.m.
- (3) Apple Valley, CA on September 29, 2010, 6 p.m. to 8 p.m.
- (4) Victorville, CA on September 30, 2010, 6 p.m. to 8 p.m.

**ADDRESSES:**

- (1) Palmdale—Larry Chimbole Cultural Center, 38350 North Sierra Highway, Palmdale, CA 93550.
- (2) Lancaster—Lancaster City Hall, Emergency Operations Center, 44933 Fern Avenue, Lancaster, CA 93534.
- (3) Apple Valley—Town of Apple Valley Development Services Building Conference Center, 14955 Dale Evans Parkway, Apple Valley, CA 92307.
- (4) Victorville—City of Victorville Conference Room D, 14343 Civic Drive, Victorville, CA 92393.

**FOR FURTHER INFORMATION CONTACT:**

Ronald Kosinski, Deputy District Director, California Department of Transportation District 7 Division of Environmental Planning, 100 South Main Street, Mail Stop 16A, Los Angeles, CA 90012.

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for these projects

pursuant to 23 U.S.C. 327. Caltrans, as the delegated National Environmental Policy Act (NEPA) lead agency, initiated studies on the proposed New State Route 138 and High Desert Corridor, State Route 18 projects. NOIs were published in the **Federal Register** on January 27, 2009 (Vol. 74, No. 16) and October 12, 2007 (Vol. 72, No. 197). During the course of conducting studies and coordinating with regulatory and resource agencies for the proposed projects, it was determined that the projects should be combined into one larger High Desert Corridor—New State Route 138 project. A Draft Environmental Impact Statement will be prepared for a proposal to construct a new freeway/expressway, and possibly a toll way, between SR-14 in Los Angeles County and SR-18 in San Bernardino County. The proposed route would run primarily in an east-west direction and extend for approximately 63 miles; it would roughly follow the alignment of the Avenue P-8 corridor near SR-14 in Los Angeles County and Air Expressway near I-15 in San Bernardino County. East of I-15, the proposed route would turn south until it terminates at SR-18. The development of this corridor is considered necessary to provide for the existing and projected traffic demand attributed to large-scale growth and increasing population in the Antelope, Victor and Apple Valley areas of Los Angeles and San Bernardino Counties. This growth has resulted in inadequate capacity and accessibility along the existing east-west trending roadways as well as an increase in demand for goods movement corridors and access to regional airports.

Alternatives under consideration are: (1)—No-Build; (2)—Transportation System Management/Transportation Demand Management (TSM/TDM). This includes various operational investments, policies, and easily implemented, low capital cost improvements aimed at improving goods movement, passenger auto and transit travel, and reducing the environmental impacts of transportation for cities and operations in the High Desert Corridor study area; (3)—Freeway/Expressway. This would consist of a route with a controlled-access freeway in some areas and an expressway in others, depending on what is warranted by traffic demand. Interchange locations will be determined based upon traffic projections. Three variations along the main alignment of this alternative will be considered. In Variation A, the freeway/expressway would run slightly