

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

No written comments were either solicited or received.

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

*Because the foregoing proposed rule change does not:* (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act<sup>6</sup> and Rule 19b-4(f)(6)<sup>7</sup> thereunder.

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 Number SR-Phlx-2010-52 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-Phlx-2010-52. 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,<sup>8</sup> 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, 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-Phlx-2010-52 and should be submitted on or before April 29, 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. 2010-7941 Filed 4-7-10; 8:45 am]

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**DEPARTMENT OF STATE**

**[Public Notice 6942]**

**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 and a prohibition on wild-caught shrimp imports will become effective on April 20, 2010. 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 no 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

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

<sup>8</sup> The text of the proposed rule change is available on the Commission's Web site at <http://www.sec.gov/rules/sro.shtml>.

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

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: April 1, 2010.

**David A. Balton,**

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

[FR Doc. 2010-7974 Filed 4-7-10; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 6947]

### Bureau of Oceans and International Environmental Scientific Affairs; Climate Action Report

**AGENCY:** Department of State.

**ACTION:** Notice; request for public comments.

**SUMMARY:** The purpose of this announcement is to notify interested members of the public of the opportunity to submit comments to the draft fifth National Communication on U.S. climate change actions for the United Nations Framework Convention on Climate Change (UNFCCC). In June 1992, the United States signed, and later ratified, the UNFCCC. Pursuant to the national communication reporting requirements under Articles 4.2 and 12 of the Convention and to guidelines later adopted by the UNFCCC Conference of the Parties (COP), the United States submitted the first U.S. Climate Action Report (CAR) to the UNFCCC Secretariat in 1994, and subsequent reports in 1997, 2002, and 2006. The U.S. Government has prepared an initial draft of the fifth National Communication for public review. This report reflects the U.S. Government commitment to the UNFCCC to transparently communicate U.S. actions and policies addressing climate change. See **SUPPLEMENTARY INFORMATION** for instructions on accessing the electronic version of the report, file format requirements for submitting comments, and other information about electronic filing.

**DATES:** The agency must receive comments on or before noon, May 6th, 2010.

**ADDRESSES:** Comments should be submitted via e-mail to [CAR5@state.gov](mailto:CAR5@state.gov). Submit comments as an ASCII or word file avoiding the use of special characters and any form of encryption. Identify all comments and data in electronic form by the docket number [docket number].

Additionally, comments may be sent via postal mail to: CAR5 Comments, Department of State, Office of Global Change, Harry S. Truman Building, Room 2480, 2201 "C" Street, NW., Washington, DC 20520 or via fax to: (202) 647-0191. Comments will be due within 28 days of publication date. Persons with access to the Internet may also view and comment on this notice by going to the U.S. Government Regulations.Gov Web site at <http://www.regulations.gov/search/Regs/home.html#home>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eric J. Maltzer, Office of Global Change, U.S. Department of State at (202) 647-6740.

**SUPPLEMENTARY INFORMATION:** The draft Fifth CAR provides a detailed report on U.S. actions to address climate change. This report contains descriptions of specific measured and verified actions, outlines of broad policy initiatives, and summaries of activities conducted by the U.S. since the fourth CAR, principally at the federal level. It also explains U.S. Government efforts to increase scientific understanding of climate change, and provide foreign assistance to help other nations mitigate and adapt to the effects of climate change.

#### Table of Contents of the draft Fifth U.S. CAR

1. Introduction and overview
2. National circumstances
3. Greenhouse gas inventory
4. Policies and measures
5. Projected greenhouse gas emissions
6. Vulnerability assessment, climate change impacts, and adaptation measures
7. Financial resources and transfer of technology
8. Research and systematic observation
9. Education, training, and outreach

#### Public Input Process

This **Federal Register** notice solicits comments on the draft chapters listed above. The individual chapters are posted on the Internet and may be downloaded from the following Web site: <http://www.state.gov/g/oes/rls/rpts/car/index.htm>.

April 2, 2010.

**Trigg Talley,**

*Director, Office of Global Change, Department of State.*

[FR Doc. 2010-7972 Filed 4-7-10; 8:45 am]

**BILLING CODE 4710-09-P**

## DEPARTMENT OF STATE

[Public Notice 6949]

### Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals: American Youth Leadership Program

*Announcement Type:* New Grant.  
*Funding Opportunity Number:* ECA/PE/C/PY-10-41.

*Catalog of Federal Domestic Assistance Number:* 19.415.

*Application Deadline:* May 28, 2010.

*Executive Summary:* The Office of Citizen Exchanges, Youth Programs Division, of the Bureau of Educational and Cultural Affairs announces an open competition for the American Youth Leadership Program. Public and private non-profit organizations meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3) may submit proposals to implement a short-term exchange program for American high school students and educators that will enable the participants to gain firsthand knowledge of foreign cultures and to collaborate on solving global issues. Applicant organizations will recruit and select youth and adult participants from the United States and provide them with a three- to four-week exchange program abroad focused on dialogue and debate, leadership development, and community service. Upon returning home, the students will apply what they have learned to serve their schools and communities.

#### I. Funding Opportunity Description

##### Authority

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87-256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries \* \* \*; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations \* \* \* and thus to assist in the development of friendly, sympathetic