

Exchange Rule 1080(l). Customers who are on the contra-side of a trade involving Directed Orders would not be subject to a fee. Also, Complex Orders in index and foreign currency options would not be subject to this assessment, but will continue to be assessed the option transaction charges in effect on the Exchange for simple orders for all participants. The Exchange proposes this amendment in order to create incentives for specialists, SQTs and RSQTs that receive directed order flow to provide liquidity in Complex Orders sent to the Exchange for execution and to encourage directed order flow.

Currently, the Exchange assesses an equity option transaction charge of \$.08 per contract side for specialists and ROTs, including SQTs and RSQTs, on contracts executed electronically as part of a Complex Order in equity options. Market participants other than specialists and ROTs are assessed the applicable current equity option transaction charge. Complex Orders are currently assessed on a net debit/credit basis and are billed on a per contract side basis, regardless of the manner in which the order was delivered to the Exchange.

## 2. Statutory Basis

The Exchange believes that its proposal to amend its schedule of fees is consistent with Section 6(b) of the Act<sup>13</sup> in general, and furthers the objectives of Section 6(b)(4) of the Act<sup>14</sup> in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members. Specifically, the Exchange believes that this proposal is equitable because it would apply evenly to specialists, SQTs and RSQTs transacting with Complex Orders sent to the Exchange for execution, in that any specialist, SQT or RSQT may act as a Directed Participant and receive the \$.01 per contract fee. Also, the Exchange believes this proposal will increase liquidity in Complex Orders.

### *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 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 either solicited or received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>15</sup> and paragraph (f)(2) of Rule 19b-4<sup>16</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-2009-42 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-2009-42. 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 inspection and copying 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 such 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 No. SR-Phlx-2009-42 and should be submitted on or before August 5, 2009.

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

**Elizabeth M. Murphy,**  
*Secretary.*

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**BILLING CODE 8010-01-P**

## **DEPARTMENT OF STATE**

**[Public Notice 6694]**

### **Wilberforce Pamphlet Publication**

**AGENCY:** Department of State

**ACTION:** Notice of publication of pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Public Law 110-457.

**SUMMARY:** Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (WWTVPRA), Public Law 110-457, mandated that the Secretary of State, in consultation with the Secretary of Homeland Security, the Attorney General, and the Secretary of Labor, develop an information pamphlet on legal rights and resources for aliens applying for employment- or education-based nonimmigrant visas. This notice announces the publication of this pamphlet on the Web site of the Bureau of Consular Affairs of the Department of State at: [http://travel.state.gov/visa/questions/questions\\_4413.html](http://travel.state.gov/visa/questions/questions_4413.html).

**DATES:** The WWTVPRA Pamphlet is effective June 22, 2009.

**FOR FURTHER INFORMATION CONTACT:** Lawrence B. Kurland, Jr., Legislation and Regulations Division, Visa Services, Department of State, Washington, DC 20520-0106. (202) 663-1260, e-mail ([KurlandLB@state.gov](mailto:KurlandLB@state.gov)).

Securities Exchange Act Release No. 59995 (May 28, 2009), 74 FR 26750 (June 3, 2009) (SR-Phlx-2009-32) (The Exchange replaced the terms AUTOM and AUTO-X with the Phlx XL System, such that references to both terms refer to Phlx XL.)

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

<sup>14</sup> 15 U.S.C. 78f(b)(4).

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

<sup>16</sup> 17 CFR 240.19b-4(f)(2).

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

**SUPPLEMENTARY INFORMATION:** Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (WWTVPRA), Public Law 110–457, mandated that the Secretary of State, in consultation with the Secretary of Homeland Security, the Attorney General, and the Secretary of Labor, develop an information pamphlet on legal rights and resources for aliens applying for employment- or education-based nonimmigrant visas. Working closely with the Department of Homeland Security (DHS), the Department of Justice (DOJ), the Department of Labor (DOL), and the Department of Health and Human Services (HHS), and in consultation with non-governmental organizations (NGOs) with expertise on the legal rights of workers and victims of severe forms of trafficking in persons, the Department of State has completed this pamphlet, which is posted online at <http://Travel.State.gov/> and which will shortly be posted on the Web sites of U.S. embassies and consulates worldwide. The pamphlet, to be distributed to applicants applying for certain employment- or education-based nonimmigrant visa classifications, as provided in the WWTVPRA, notifies nonimmigrant workers in the United States of their rights and gives them resources in the event they fall victim to abuse or human trafficking. The pamphlet represents a major step in the Department's efforts to combat human trafficking and labor rights violations. The Department of State has sent the pamphlet to its partners at DHS, DOJ, DOL, and HHS and would like to let all agencies, NGOs, foreign labor brokers, and other interested persons know that the information is now available and may be copied and provided to other parties.

Dated: July 7, 2009.

**Janice L. Jacobs,**

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

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**BILLING CODE 4710–06–P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice of Proposed Measure and Opportunity for Public Comment Pursuant to Section 421 of the Trade Act of 1974: Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China

**AGENCY:** Office of the United States  
Trade Representative.

**ACTION:** Notice of proposed measure;  
request for comments.

**SUMMARY:** The United States International Trade Commission (ITC) has determined, pursuant to section 421(b)(1) of the Trade Act of 1974, as amended (the Trade Act) (19 U.S.C. 2451(b)(1)), that certain passenger vehicle and light truck tires<sup>1</sup> from the People's Republic of China (China) are being imported into the United States in such increased quantities or under such conditions as to cause market disruption to the domestic producers of like or directly competitive products. Pursuant to section 421(h)(1) of the Trade Act, the United States Trade Representative (USTR) is publishing notice of proposed restrictions with respect to imports of Chinese tires. USTR invites domestic producers, importers, exporters, and other interested parties to submit their views and evidence on the appropriateness of the proposed restrictions and whether they would be in the public interest. USTR also invites interested parties to participate in a public hearing (if one is requested).

**DATES:** Requests for USTR to hold a public hearing are due by July 27, 2009. Written comments and requests to testify at any public hearing are also due by July 27, 2009. If USTR receives a request to hold a public hearing, the hearing will be held on August 7, 2009.

**ADDRESSES:** Requests and written comments should be submitted electronically via the Internet at <http://www.regulations.gov>, docket number USTR–2009–0017. If you are unable to provide on-line submissions, please contact Sandy McKinzy, Legal Technician, at (202) 395–9483 to arrange for an alternative method of transmission.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning public comments and holding of a public hearing, contact Sandy McKinzy, Legal Technician, USTR, telephone (202) 395–9483. Other questions should be addressed to Terrence J. McCartin, Office of China Affairs, USTR, telephone (202) 395–3900, or María L. Pagán, Office of General Counsel, USTR, telephone (202) 395–7305.

#### SUPPLEMENTARY INFORMATION:

<sup>1</sup> For purposes of its investigation, the ITC considered certain passenger vehicle and light truck tires to consist of new pneumatic tires, of rubber, from China, of a kind used on motor cars (except racing cars) and on-the-highway light trucks, vans, and sport utility vehicles, provided for in subheadings 4011.10.10, 4011.10.50, 4011.20.10, and 4011.20.50 of the Harmonized Tariff Schedule of the United States (hereafter “Chinese tires”).

#### 1. The ITC Investigation and Section 421

Following receipt of a petition filed on April 20, 2009, by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (“USW”), the ITC instituted investigation No. TA–421–7, under section 421 of the Trade Act (19 U.S.C. 2451) to determine whether Chinese tires are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products. The ITC made an affirmative market disruption determination on June 18, 2009, and transmitted a report on its determination, as well as its remedy proposals, to USTR on July 9, 2009. The views of the ITC, including its remedy proposals, and the ITC staff report, are available on the ITC's Web site (<http://www.usitc.gov>) and are contained in USITC Publication 4085 (July 2009), entitled “Certain Passenger Vehicle and Light Truck Tires from China.” A copy of that publication can be obtained from the ITC after July 30, 2009, by e-mailing [pubrequest@usitc.gov](mailto:pubrequest@usitc.gov), calling (202) 205–2000, or writing to the Office of the Secretary, 500 E Street, SW., Washington, DC 20436. Requests may also be faxed to (202) 205–2104.

Following an affirmative determination by the ITC, and pursuant to Section 421(h) of the Trade Act, USTR is required to make a recommendation to the President concerning what action, if any, the President should take to remedy the market disruption. Within 15 days after receiving USTR's recommendation, the President is required to provide import relief unless the President determines that providing such relief is not in the national economic interest of the United States or, in extraordinary cases, that taking action would cause serious harm to the national security of the United States. (Section 421(k).) Before making a recommendation, USTR is required to publish notice of any measures it may propose and provide an opportunity to comment.

#### 2. Proposed Measure and Opportunity for Comment

The ITC recommended that the President impose an additional duty for three years on imports of Chinese tires as follows: 55 percent *ad valorem* in the first year, 45 percent *ad valorem* in the second year, and 35 percent *ad valorem* in the third year. The ITC further recommended that, if applications are