

reached, and when he should be contacted. The circular outlined his roles and responsibilities, which include provision of an annual report to the UN Office of Legal Affairs and the Cambodian Government. Recently these two parties have also finalized more detailed operational guidelines, and the Independent Counsellor met with administrators, court staff, and the diplomatic community to further explain his role and highlight his commitment to protecting the identities of complainants and ensuring that there would be no reprisals against whistleblowers. The United States, in coordination with other donor nations, is conducting ongoing diplomatic efforts with both the United Nations Office of Legal Affairs and Government of Cambodia to assist in making the Independent Counsellor fully operational.

The United Nations Office of Legal Affairs and Government of Cambodia have also recently reached agreement on a new international co-prosecutor—Andrew Cayley of the United Kingdom. He has been well received by the donor community and NGOs, and has over a decade of experience in international justice, having worked at the International Criminal Tribunal for the former Yugoslavia, International Criminal Court, and Special Court for Sierra Leone. The selection of Andrew Cayley is another indicator of ongoing cooperation between the two parties and their willingness to work constructively together to advance the court.

As a result of its first contribution of \$1.8 million in 2009, the United States is playing a leadership role with respect to oversight of the court by currently serving as the chair of the KRT Steering Committee, a position which rotates on a quarterly basis. The United States also plays a leading role in the donors group in Phnom Penh, Cambodia. An additional contribution will indicate an ongoing commitment to the work of the court, and improve our position in discussions at the Steering Committee and with other current and potential donors.

Last month, the KRT's budget was approved. The budget reflected good management practices, including meaningful and realistic projections of the timelines for completion of the court's caseload. The State Department had an opportunity to review and approve the budget during its consideration by the Steering Committee and was satisfied that it was administratively and financially sound.

The KRT provides a monthly report to the UN Controller and the UN Department of Economic and Social

Affairs, which closely monitors the activities of the court including its expenditures. In addition, all hiring on the international side of the court is vetted by the UN Department of Economic and Social Affairs. The UN Office of Legal Affairs actively engages on judicial management issues, such as shifting the pre-trial Chamber to sit on a full-time basis in order to improve the efficiency of the court and to expedite its decision-making.

#### *Certification and United States Policy Objectives*

Certification recognizes the efforts of the United Nations and the Government of Cambodia to address allegations of corruption and mismanagement within the tribunal. It is not an indication, however, that no further work needs to be done. Both parties must continue to exercise oversight of court operations, and the donor community and NGOs must continue their vigilant engagement with the United Nations and Cambodian government to ensure that the Khmer Rouge Tribunal remains corruption-free and well-managed.

[FR Doc. 2010-7631 Filed 4-2-10; 8:45 am]

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#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

##### **Trade Policy Staff Committee: Public Comments Regarding Granting Suriname Eligibility for Benefits Under the Caribbean Basin Economic Recovery Act and the Caribbean Basin Trade Partnership Act**

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

**ACTION:** Notice and request for public comment.

**SUMMARY:** The Trade Policy Staff Committee (TPSC) is seeking comments from the public on whether Suriname should be designated as eligible to receive benefits under the Caribbean Basin Economic Recovery Act (CBERA), as amended by the Caribbean Basin Trade Partnership Act (CBTPA) (19 U.S.C. 2701 *et seq.*). Although Congress has identified Suriname as potentially eligible for benefits, the government of Suriname did not request beneficiary status under either the CBERA or the CBTPA until December 2009. The TPSC invites written comments concerning whether Suriname meets the criteria described in sections 212(b), 212(c), and 213(b)(5)(B) of the CBERA, as amended. The TPSC will consider these comments in developing its recommendation to the President regarding Suriname's

eligibility for benefits under CBERA and CBTPA.

**DATES:** Public comments are due at USTR no later than 5 p.m., May 17, 2010.

**ADDRESSES:** Comments should be submitted electronically via the Internet at <http://www.regulations.gov>. For alternatives to on-line submissions please contact Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-3475.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning written comments, contact Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-3475. All other questions should be directed to Kent Shigetomi, Office of the Americas, Office of the United States Trade Representative, 600 17th Street, NW., Room 523, Washington, DC 20508. His telephone number is (202) 395-3412.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to submit comments on whether Suriname meets or fails to satisfy the eligibility criteria described in sections 212(b), 212(c), and 213(b)(5)(B) of the CBERA, as amended. Those criteria may be accessed at <http://www.tinyurl.com/yelwmc5>, and are summarized below.

#### **Eligibility Criteria for Designation as a Beneficiary Country Under CBERA and CBTPA (Sections 212(b) and (c) of CBERA)**

After a country identified in the statute as a potential beneficiary country requests benefits under CBERA and CBTPA, the President must determine whether to designate the country as a beneficiary under the two programs. In determining whether to designate a country as a CBERA beneficiary country, the President must take into account the criteria contained in section 212(b) of the CBERA, which include whether the country: (1) Is a Communist country; (2) has nationalized, expropriated or otherwise seized ownership or control of property owned by a United States citizen or by a corporation, partnership, or association which is 50 percent or more beneficially owned by United States citizens, or taken certain steps that have such an effect, without proper compensation or arbitration of the dispute; (3) fails to act in good faith in enforcing arbitral awards in favor of United States citizens or a corporation, partnership or association which is 50 percent or more beneficially owned by United States citizens; (4) affords preferential treatment to the products of a developed country, other than the United States, which has, or is likely to have, a

significant adverse effect on United States commerce; (5) owns an entity that engages in the broadcast of copyrighted material belonging to United States copyright owners without their express consent; (6) is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of United States citizens; and (7) has not or is not taking steps to afford internationally recognized worker rights (as defined in section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4))) to workers in the country.

The President must also take into account the criteria contained in section 212(c) of the CBERA, which include: (1) The economic conditions in such country; (2) the extent to which such country has assured the United States it will provide equitable and reasonable access to the markets and basic commodity resources of such country; (3) the degree to which such country follows the accepted rules of international trade provided for under the World Trade Organization (WTO) Agreement and the multilateral trade agreements; (4) the degree to which such country uses export subsidies or imposes export performance requirements or local content requirements which distort international trade; (5) the degree to which the trade policies of such country as they relate to other beneficiary countries are contributing to the revitalization of the region; (6) the degree to which such country is undertaking self-help measures to promote its own economic development; (7) whether or not such country has taken or is taking steps to afford to workers in that country internationally recognized worker rights; (8) the extent to which such country provides under its law adequate and effective means for foreign nationals to secure, exercise, and enforce exclusive rights in intellectual property; (9) the extent to which such country prohibits its nationals from engaging in the broadcast of copyrighted material belonging to United States copyright owners without their express consent; (10) and the extent to which such country is prepared to cooperate with the United States in the administration of the provisions of the CBERA.

**Eligibility Criteria for CBTPA Beneficiary Countries (Section 213(b)(5)(B) of the CBERA)**

In determining whether to designate a country as a CBTPA beneficiary country, the President must take into account the criteria contained in sections 212(b) and (c) of CBERA described above, and other appropriate

criteria, including the following criteria contained in section 213(b)(5)(B) of the CBERA: (1) Whether the beneficiary country has demonstrated a commitment to undertake its obligations under the WTO Agreement and participate in negotiations toward the completion of the Free Trade Area of the Americas or another free trade agreement; (2) the extent to which the country provides protection of intellectual property rights consistent with or greater than the protection afforded under the Agreement on Trade-Related Aspects of Intellectual Property Rights described in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)); (3) the extent to which the country provides internationally recognized worker rights; (4) whether the country has implemented its commitments to eliminate the worst forms of child labor; (5) the extent to which the country has met U.S. counter-narcotics certification criteria under the Foreign Assistance Act of 1961; (6) the extent to which the country has taken steps to become a party to and implement the Inter-American Convention Against Corruption; and (7) the extent to which the country applies transparent, nondiscriminatory and competitive procedures in government procurement and contributes to efforts in international fora to develop and implement rules on transparency in government procurement.

Additionally, before a country can receive benefits under the CBTPA, the President must also determine that the country has satisfied the requirements of section 213(b)(4)(A)(ii) of CBERA (19 U.S.C. 2703(b)(4)(A)(ii)) relating to the implementation of procedures and requirements similar to the relevant procedures and requirements contained in chapter 5 of the North American Free Trade Agreement.

*Requirements for Submissions.* Persons submitting comments must do so in English and must identify (on the first page of the submission) the "Suriname CBERA and CBTPA Eligibility." Written comments must be received by May 17, 2010.

In order to ensure the most timely and expeditious receipt and consideration of comments, USTR has arranged to accept on-line submissions via <http://www.regulations.gov>. To submit comments via <http://www.regulations.gov>, enter docket number USTR-2010-0011 on the home page and click "go". The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting "Notice" under "Document

Type" on the left side of the search-results page, and click on the link entitled "Send a Comment or Submission." (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on "How to Use This Site" on the left side of the home page.)

The <http://www.regulations.gov> Web site provides the option of making submissions by filling in a "General Comments" field, or by attaching a document. We expect that most submissions will be provided in an attached document. If a document is attached, it is sufficient to type "See attached" in the "General Comments" field.

Submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf) are preferred. If an application other than those two is used, please identify in your submission the specific application used. For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC" and must be submitted separately from the public version. Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page. If you file comments containing business confidential information you must also submit a public version of the comments under a separate submission. The file name of the public version should begin with the character "P". The "BC" and "P" should be followed by the name of the person or entity submitting the comments. If you submit comments that contain no business confidential information, the file name should begin with the character "P", followed by the name of the person or entity submitting the comments. Electronic submissions should not attach separate cover letters; rather, information that might appear in a cover letter should be included in the comments you submit. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments to a submission in the same file as the submission itself and not as separate files.

We strongly urge submitters to use electronic filing. If an on-line submission is impossible, alternative arrangements must be made with Ms. Blue prior to delivery for the receipt of such submissions. Ms. Blue may be contacted at (202) 395-3475. General information concerning the Office of the United States Trade Representative may

be obtained by accessing its Internet Web site (<http://www.ustr.gov>).

**Carmen Suro-Bredie,**

*Chairman, Trade Policy Staff Committee.*

[FR Doc. 2010-7513 Filed 4-2-10; 8:45 am]

**BILLING CODE 3190-W0-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-103 (Sub-No. 22X)]

#### The Kansas City Southern Railway Company—Abandonment Exemption—in East Feliciana Parish, LA

The Kansas City Southern Railway Company (KCSR) filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 1.63-mile line of railroad extending from milepost D-202.70 to milepost D-204.33, in East Feliciana Parish, LA. The line traverses United States Postal Service Zip Code 70748.

KCSR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line that has been or would need to be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on or after May 5, 2010, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup>

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 15, 2010. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 26, 2010, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to KCSR's representative: Robert A. Wimbish, Baker & Miller PLLC, 2401 Pennsylvania Avenue, NW., Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

KCSR has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by April 9, 2010. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), KCSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by KCSR's filing of a notice of consummation by April 5, 2011, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: March 29, 2010.

exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2010-7377 Filed 4-2-10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Compliance and Enforcement Bulletin No. 2010-1

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of enforcement policy.

**SUMMARY:** This notice announces a limited program to forgo enforcement action for persons who disclose before September 30, 2010, previous falsification on applications for airman medical certification regarding the use of antidepressant medication, the underlying condition for which the antidepressant was prescribed, and visits to health professionals in connection with the antidepressant use or underlying condition.

**DATES:** *Effective Dates:* Effective date April 5, 2010. This Notice is issued simultaneously with "Special Issuance Medical Certificates to Applicants Being Treated with Certain Types of Antidepressants," [Docket No. FAA-2009-0773].

**FOR FURTHER INFORMATION CONTACT:** Susan S. Caron, Enforcement Division, FAA Office of the Chief Counsel, 800 Independence Avenue, SW., Washington, DC 20591; 202-267-7721; e-mail address; [susan.caron@faa.gov](mailto:susan.caron@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Compliance and Enforcement Bulletin 2010-1, which amends FAA Order 2150.3B, Compliance and Enforcement Programs, is being issued in connection with FAA policy statement, "Special Issuance Medical Certificates to Applicants Being Treated with Certain Types of Antidepressants," [Docket No. FAA-2009-0773]. The Bulletin is intended to encourage airmen to make a complete disclosure regarding a history of or current use of antidepressant medications, the underlying condition for which the antidepressant medication was prescribed, and associated visits to health professionals so that they can be considered for special issuance medical certification under the new policy on the use of certain antidepressants. Under the terms of Bulletin 2010-1, the FAA will not initiate legal enforcement