

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, 450 Fifth Street, NW., Washington, DC 20549-0609. Copies of such filing will also be available for inspection and copying at the principal office of the PCX. 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-PCX-2004-118 and should be submitted on or before February 25, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Request for Public Comment Regarding Andean Trade Promotion and Drug Eradication Act (ATPDEA) Beneficiary Countries

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

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

**SUMMARY:** In compliance with section 203(f) of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3201), as amended by the Andean Trade Promotion and Drug Eradication Act, the Office of the United States Trade Representative (USTR) is requesting the views of interested parties on whether the countries designated as ATPA beneficiary countries in Presidential Proclamation 7616 of October 31, 2002, are meeting the eligibility criteria provided for in section 204(b)(6)(B) of the ATPA. This information will be used in the preparation of a report to the U.S. Congress on the operation of the program.

**DATES:** Public comments are due at USTR no later than 5 p.m., March 18, 2005.

**ADDRESSES:** *Submissions by electronic mail:* FR0518@USTR.EOP.GOV.

*Submissions by facsimile:* Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-6143. The public is strongly encouraged to submit documents electronically rather than by facsimile. See requirements for submissions below.

**FOR FURTHER INFORMATION CONTACT:**

Russell Smith, Office of the Americas, Office of the United States Trade Representative, 600 17th Street, NW., Room 523, Washington, DC 20508. The telephone number is (202) 395-9450.

**SUPPLEMENTARY INFORMATION:** Signed into law on August 6, 2002, the Trade Act of 2002 contains, in title XXXI, provisions for enhanced trade benefits for eligible Andean countries. Titled the "Andean Trade Promotion and Drug Eradication Act" (ATPDEA), the ATPDEA renews the Andean Trade Preference Act (ATPA), and amends the ATPA to provide preferential treatment for certain products previously excluded from such treatment. In Presidential Proclamation 7616 of October 31, 2002, the President designated Bolivia, Colombia, Ecuador and Peru as ATPA beneficiary countries. Section 203(f) of the ATPA requires the USTR, not later than April 30, 2005, to submit to Congress a report on the operation of the ATPA. Section 203(f)(2) requires USTR, before submitting such report, to request comments on whether beneficiary countries are meeting the criteria set forth in section 204(b)(6)(B) (which incorporates by reference the criteria set forth in sections 203(c) and (d)). USTR refers interested parties to the **Federal Register** notice published on August 15, 2002 (67 FR 53379), for a full list of the eligibility criteria.

*Requirements for Submissions.* In order to facilitate prompt processing of submissions, the Office of the United States Trade Representative strongly urges and prefers electronic (e-mail) submissions in response to this notice. In the event that an e-mail submission is impossible, submissions should be made by facsimile.

Persons making submissions by e-mail should use the following subject line: "ATPA Beneficiary Countries." Documents should be submitted as either WordPerfect, MSWord, or text (.TXT) files. Spreadsheets submitted as supporting documentation are acceptable as Quattro Pro or Excel files. If any document submitted electronically contains business confidential information, the file name of the business confidential version should begin with the characters "BC-," and the file name of the public version should begin with the characters "P-." The "P-" or "BC-" should be followed

by the name of the submitter. Persons who make submissions by e-mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. To the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Written comments, notice of testimony, and testimony will be placed in a file open to public inspection pursuant to 15 CFR 2003.5, except business confidential information exempt from public inspection in accordance with 15 CFR 2003.6. Business confidential information submitted in accordance with 15 CFR 2003.6 must be clearly marked "BUSINESS CONFIDENTIAL" at the top of each page, including any cover letter or cover page, and must be accompanied by a non-confidential summary of the confidential information. All public documents and non-confidential summaries shall be available for public inspection in the USTR Reading Room. The USTR Reading Room is open to the public, by appointment only, from 10 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday. An appointment to review the file must be scheduled at least 48 hours in advance and may be made by calling (202) 395-6186.

**Carmen Suro-Bredie,**

*Chairman, Trade Policy Staff Committee.*

[FR Doc. 05-2188 Filed 2-3-05; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice of List of Products Subject to Possible Withdrawal of Concessions in Response to European Union (EU) Changes to Its Rice Import Regime

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

**ACTION:** Notice.

**SUMMARY:** In response to the European Union's changes to its rice import regime, the United States has notified the World Trade Organization of its intent to withdraw concessions by March 1, 2005, with respect to the goods in the attached list.

*Background:* In **Federal Register** notices 04-20543, dated September 10, 2004, 04-21762 and dated September 28, 2004, the Office of the U.S. Trade Representative sought comments concerning a list of goods for which tariff concessions may be withdrawn and duties may be increased in the

<sup>13</sup> 17 CFR 200.30-3(a)(12).

event the United States cannot reach agreement with the European Union (EU) for adequate compensation owed under World Trade Organization (WTO) rules as a result of EU changes to its rice import regime.

While the United States Government has actively sought a negotiated resolution of this issue, which would have alleviated the need to withdraw concessions, an agreement has not been reached. Therefore, in accordance with WTO rules, the United States has notified the WTO that it will withdraw substantially equivalent tariff concessions if an agreement is not reached before March 1.

This notice provides the list of goods notified to the WTO on Friday, January 28, 2005.

Whenever a foreign country withdraws, suspends, or modifies the application of trade agreement obligations of benefit to the United States without granting adequate compensation, the President is authorized under section 125(c) of the Trade Act of 1974 (19 U.S.C. 2135) to proclaim such increased duties or other import restrictions as are appropriate to effect adequate compensation. In the event that the United States withdraws substantially equivalent tariff concessions on March 1, increases in

the duties applied to the goods included in the list notified to the WTO would be effected pursuant to this authority.

**FOR FURTHER INFORMATION CONTACT:** Sharon Sydow, Director for Agricultural Trade Policy, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508; telephone (202) 395-6127.

**Carmen Suro-Bredie,**  
*Chair, Trade Policy Staff Committee.*

**Attachment: List of Products Subject to Possible Withdrawal of Concessions in Response to European Union (EU) Changes to Its Rice Import Regime**

HS code	Product
04031090 .....	Yogurt, not in dry form, whether or not flavored or containing add fruit or cocoa.
04063085 .....	Processed cheese (incl. mixtures), nesoi, n/o 0.5% by wt. butterfat, not grated or powdered, subject to Ch4 U.S. note 23, not GN15.
07052100 .....	Witloof chicory, fresh or chilled.
07108065 .....	Brussels sprouts, uncooked or cooked by steaming or boiling in water, frozen, not reduced in size.
08052000 .....	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh or dried.
09042020 .....	Paprika, dried or crushed or ground.
09102000 .....	Saffron.
20019025 .....	Artichokes, prepared or preserved by vinegar or acetic acid.
20032000 .....	Truffles, prepared or preserved otherwise than by vinegar or acetic acid.
20049010 .....	Antipasto, prepared or preserved otherwise than by vinegar or acetic acid, frozen.
20057050 .....	Olives (not green) in a saline solution, canned, not pitted.
20057070 .....	Olives (not green), in a saline solution, in airtight containers of glass or metal but not canned.
20057075 .....	Olives (not green) in a saline solution, not canned, nesoi.
20059030 .....	Sauerkraut, prepared or preserved otherwise than by vinegar or acetic acid, not frozen.
20087020 .....	Peaches (excluding nectarines), otherwise prepared or preserved, not elsewhere specified or Included.

**Note:** The product descriptions supplied above for the items of the Harmonized Tariff Schedule of the United States ("HTS") are for the convenience of the reader and are not intended to delimit in any way the scope of the products that would be subject to increased duties.

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**DEPARTMENT OF THE TREASURY**

**Submission for OMB Review; Comment Request**

January 25, 2005.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750

Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before March 7, 2005 to be assured of consideration.

**Internal Revenue Service (IRS)**

*OMB Number:* 1545-1394.  
*Form Number:* IRS Form 1120-SF.  
*Type of Review:* Extension.  
*Title:* U.S. Income Tax Return for Settlement Funds (Under Section 468B).  
*Description:* Form 1120-SF is used by settlement funds to report income and taxes on earnings of the fund. The fund may be established by court order, a breach of contract, a violation of law, an arbitration panel, or the Environmental Protection Agency. The IRS uses Form 1120-F to determine if income and taxes are correctly computed.

*Respondents:* Business or other for-profit.  
*Estimated Number of Respondents/Recordkeepers:* 1,000.  
*Estimated Burden Hours Respondent/Recordkeeper:*  
Recordkeeping—18 hr., 24 min.  
Learning about the law or the form—2 hr., 49 min.  
Preparing the form—5 hr., 6 min.

Copying, assembling, and sending the form to the IRS—32 min.

*Frequency of response:* Annually.  
*Estimated Total Reporting/Recordkeeping Burden:* 26,880 hours.  
*OMB Number:* 1545-1423.  
*Regulation Project Number:* PS-106-91 Final.

*Type of Review:* Extension.  
*Title:* State Housing Credit Ceiling and Other Rules Relating to the Low-Income Housing Credit.

*Description:* The regulations provide the order in which credits are allocated from each State's credit ceiling under section 422(h)(3)© and the determination of which states qualify for credits from a National Pool of credits under section 42(h)(3)(D). Allocating agencies need this information to correctly allocate credits and determine National Pool eligibility.

*Respondents:* Business or other for-profit, Individuals or households. Not-for-profit institutions, State, Local or Tribal Government.  
*Estimated Number of Respondents:* 110.  
*Estimated Burden Hours Respondent:* 2 hours, 30 minutes.  
*Frequency of response:* Other (one time per event).