

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. Please include File Number SR-NYSE-2005-42 on the subject line.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number SR-NYSE-2005-42. 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 Section, 100 F Street, NE., Washington, DC 20549. 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 Number SR-NYSE-2005-42 and should be submitted on or before July 15, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁰

Jill M. Peterson,

Assistant Secretary.

[FR Doc. E5-3284 Filed 6-23-05; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF STATE

[Public Notice 5118]

Culturally Significant Objects Imported for Exhibition Determinations: "Lords of Creation: the Origins of Sacred Maya Kingship"

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "Lords of Creation: the Origins of Sacred Maya Kingship," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign lenders. I also determine that the exhibition or display of the exhibit objects at the Los Angeles County Museum of Art, Los Angeles, CA, from on or about September 10, 2005, to on or about January 2, 2006; Dallas Museum of Art, Dallas, TX, from on or about February 12, 2006, to on or about May 7, 2006; Metropolitan Museum of Art, New York, NY, from on or about June 11, 2006, to on or about September 10, 2006, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julianne Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State, (telephone: (202) 453-8049). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

¹⁰ 17 CFR 200.30-3(a)(12).

Dated: June 17, 2005.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. 05-12572 Filed 6-23-05; 8:45 am]

BILLING CODE 4710-08-P

DEPARTMENT OF STATE

[Public Notice 5119]

Notice of Public Meeting FY 2006 Refugee Admissions Program

There will be a meeting on the President's FY 2006 Refugee Admissions Program on Wednesday, July 13, 2005 from 2 p.m. to 4 p.m. The meeting will be held at the Refugee Processing Center, 1401 Wilson Boulevard, Suite 700, Arlington, Virginia. The meeting's purpose is to hear the views of attendees on the appropriate size and scope of the FY 2006 Refugee Admissions Program.

Seating is limited. Persons wishing to attend this meeting must Notify the Bureau of Population, Refugees, and Migration at (202) 663-1056 by 5 p.m. (e.d.t.), Wednesday, July 6, 2005 to arrange for admission. Persons wishing to present oral comments or submit written comments for consideration, must provide them in writing by 5 p.m. (e.d.t.), Wednesday, July 6, 2006.

All comments should be faxed to (202) 663-1364.

Information about the Refugee Admissions Program may be found at <http://www.state.gov/g/prm/>.

Whitney Reitz,

Overseas Program Section Chief, Bureau of Population, Refugees, and Migration, Department of State.

[FR Doc. 05-12573 Filed 6-23-05; 8:45 am]

BILLING CODE 4710-33-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-264]

WTO Dispute Settlement Proceeding Regarding Final Dumping Determination on Softwood Lumber from Canada

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that on June 1, 2005, at the request of Canada, the Dispute Settlement Body (DSB) of the World Trade Organization (WTO) established a

dispute settlement panel under the Marrakesh Agreement Establishing the WTO. The panel is to examine whether the United States has implemented the recommendations and rulings of the DSB in a dispute involving a U.S. Department of Commerce (Commerce) determination that certain softwood lumber products from Canada are being sold in the United States at less than fair value (LTFV). On August 31, 2004, the DSB adopted the findings of the panel and the WTO Appellate Body in that dispute. Those findings rejected all of Canada's claims, except the claim that Commerce's methodology for aggregating dumping levels determined by comparing weighted average export price to weighted average normal value for groups of comparable transactions was inconsistent with Article 2.4.2 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (Antidumping Agreement). In response to the DSB's recommendations and rulings, Commerce revised its methodology. Instead of determining dumping levels on a weighted average-to-weighted average basis, Commerce determined dumping levels on a transaction-to-transaction basis. On April 27, 2005, Commerce issued a Notice of Determination Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Certain Softwood Lumber Products From Canada. That Notice, published in the **Federal Register** on May 2, 2005 (70 FR 22636), implements the new determination. Canada subsequently requested the establishment of a dispute settlement panel, alleging that the United States had failed to implement the DSB's recommendations and rulings. The panel was established on June 1, 2005. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before July 22, 2005, to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to FR0064@ustr.gov, Attn: "DS264 Dispute" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the email address above.

FOR FURTHER INFORMATION CONTACT: Theodore R. Posner, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street,

NW., Washington, DC 20508, (202) 395-3150.

SUPPLEMENTARY INFORMATION: Pursuant to the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), the panel, which will hold its meetings in Geneva, Switzerland, is expected to issue a report on its findings and recommendations in September 2005.

Prior WTO Proceedings

On August 31, 2004, the WTO DSB adopted the reports of a dispute settlement panel and the Appellate Body in a dispute brought by Canada challenging the initiation, scope, and methodology of Commerce's investigation of LTFV sales in the United States of certain softwood lumber products from Canada. The panel rejected all of Canada's claims, except its claim concerning Commerce's use of the so-called "zeroing" methodology in aggregating dumping levels determined by making weighted average-to-weighted average comparisons between groups of home market sales and comparable groups of sales for export to the United States. The panel's findings were upheld by the Appellate Body in all respects. The panel and Appellate Body reports are publicly available in the USTR reading room and on the WTO Web site <http://www.wto.org>.

Article 21.5 Proceeding

Pursuant to the rules of the DSU, the United States and Canada agreed that the United States would have until May 2, 2005, to implement the recommendations and rulings of the DSB. To implement these recommendations and rulings, Commerce undertook a revision of the calculation of dumping margins in the *Softwood Lumber from Canada* investigation. That process concluded with a new determination, which Commerce issued to the United States Trade Representative on April 19, 2005. In the new determination, Commerce calculated levels of dumping on a transaction-to-transaction basis (as opposed to a weighted average-to-weighted average basis), and then aggregated the results of these comparisons to determine dumping margins for particular producers and exporters. Following consultations with Commerce and with congressional committees, the Trade Representative directed Commerce to implement the new determination on April 27, 2005. Commerce did so through a Notice of Determination Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Certain

Softwood Lumber Products From Canada, effective April 27, 2005 and published in the **Federal Register** on May 2, 2005 (70 FR 22636). On May 19, 2005, Canada alleged that the United States had not properly implemented the recommendations and rulings and requested the establishment of a dispute settlement panel under Article 21.5 of the DSU to review this implementation. The panel was established on June 1, 2005.

In its request under Article 21.5, Canada alleges that Commerce failed to implement the recommendations and rulings of the DSB by using "zeroing" in aggregating levels of dumping determined on a transaction-to-transaction basis.

The specific measures identified by Canada as inconsistent with U.S. WTO obligations under the AD Agreement and SCM Agreement are: (1) Notice of Determination Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Certain Softwood Lumber Products From Canada, 70 FR 22636 (May 2, 2005); and (2) Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Softwood Lumber Products from Canada, 67 FR 36068 (May 22, 2002).

The People's Republic of China, the European Communities, India, Japan, and New Zealand have indicated their interest to participate in the dispute as third parties.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons submitting comments may either send one copy by fax to Sandy McKinzy at (202) 395-3640, or transmit a copy electronically to FR0064@ustr.gov, Attn: "DS264 Dispute" in the subject line. For documents sent by fax, USTR requests that the submitter provide a confirmation copy to the electronic mail address listed above.

Comments must be in English. USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, 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.

A person requesting that information contained in a comment submitted by

that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page of the submission.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

- (1) Must clearly so designate the information or advice;
- (2) Must clearly mark the material as "Submitted in Confidence" at the top and bottom of each page of the cover page and each succeeding page; and
- (3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room, which is located at 1724 F Street, NW., Washington, DC 20508. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket No. WT/DS-264, Lumber Antidumping Dispute) may be made by calling the USTR Reading Room at (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday.

Daniel E. Brinza,

Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 05-12483 Filed 6-23-05; 8:45 am]

BILLING CODE 3190-W5-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-277]

WTO Dispute Settlement Proceeding Regarding Investigation of the International Trade Commission in Softwood Lumber From Canada

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that, at the request of Canada, the Dispute Settlement Body (DSB) of the World Trade Organization (WTO) has established a dispute settlement panel under the Marrakesh Agreement Establishing the WTO. The panel is to examine whether the United States has implemented the recommendations and rulings of the DSB in a dispute involving a U.S. International Trade Commission (ITC) injury investigation of certain softwood lumber products from Canada. On April 26, 2004, the DSB adopted the findings of the panel in that dispute, which found that "in light of the totality of the factors considered and the reasoning in the USITC's determination, [it could not] conclude that the finding of a likely imminent substantial increase in imports is one which could have been reached by an objective and unbiased investigating authority." In response to the DSB's recommendations and rulings, the ITC issued a new determination in November 2004, which found that "an industry in the United States is threatened with material injury by reason of imports of softwood lumber from Canada found to be subsidized and sold in the United States at less than fair value ('LTFV')." In December 2004, the U.S. antidumping and countervailing duty orders on softwood lumber from Canada were amended to reflect the new determination. Canada subsequently requested the establishment of a dispute settlement panel, alleging that the United States had failed to implement the DSB's recommendations and rulings. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before June 27, 2005, to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to FR0062@ustr.gov, Attn: "Lumber Injury Dispute (DS277)" in the subject line, or

(ii) by fax, to Sandy McKinzy at 202-395-3640, with a confirmation copy sent electronically to the e-mail address above.

FOR FURTHER INFORMATION CONTACT: Theodore R. Posner, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395-3150.

SUPPLEMENTARY INFORMATION: Pursuant to the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), the panel, which will hold its meetings in Geneva, Switzerland, is expected to issue a report on its findings and recommendations in September 2005.

Prior WTO Proceedings

On April 26, 2004, the WTO DSB adopted the report of a dispute settlement panel in a dispute brought by Canada challenging the ITC's final threat of material injury determination in its investigation of softwood lumber imports from Canada. The panel rejected certain of Canada's claims but ultimately found that "in light of the totality of the factors considered and the reasoning in the USITC's determination, [it could not] conclude that the finding of a likely imminent substantial increase in imports is one which could have been reached by an objective and unbiased investigating authority." The dispute settlement panel report is publicly available in the USTR reading room and on the WTO Web site <http://www.wto.org>.

Article 21.5 Proceeding

Pursuant to the rules of the DSU, the United States and Canada agreed that the United States would have until January 26, 2005, to implement the recommendations and rulings of the DSB. To implement these recommendations and rulings, the ITC undertook a four-month process that involved reopening its administrative record in the *Softwood Lumber from Canada* investigation to gather additional information, holding a public hearing, providing interested parties three opportunities to submit written comments, and engaging in additional analysis. That process concluded with a new determination in November 2004, which found that "an industry in the United States is threatened with material injury by reason of imports of softwood lumber from Canada found to be subsidized and sold in the United States at less than fair value ('LTFV')." In December 2004, the U.S. antidumping and countervailing duty orders on softwood lumber from Canada