

as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- By order approve such proposed rule change; or
- Institute proceedings to determine whether the proposed rule change should be disapproved.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, 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-NYSE-2005-37 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-2005-37. 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 NYSE and on the NYSE's Web site, [www.nyse.com](http://www.nyse.com). 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-2005-37 and should be submitted on or before November 16, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

**Jonathan G. Katz,**  
Secretary.

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BILLING CODE 8010-01-P

## DEPARTMENT OF STATE

[Public Notice 5209]

### **Bureau of Economic and Business Affairs; List of September 20, 2005, of Participating Countries and Entities (Hereinafter Known as "Participants") Under the Clean Diamond Trade Act of 2003 (Pub. L. 108-19) and Section 2 of Executive Order 13312 of July 29, 2003**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** In accordance with Sections 3 and 6 of the Clean Diamond Trade Act of 2003 (Public Law 108-19) and Section 2 of Executive Order 13312 of July 29, 2003, the Department of State is identifying all the Participants eligible for trade in rough diamonds under the Act, and their respective Importing and Exporting Authorities, and revising the previously published list of August 22, 2005 (70 FR 49006-49007)

**FOR FURTHER INFORMATION CONTACT:** Sue Saarnio, Special Advisor for Conflict Diamonds, Bureau of Economic and Business Affairs, Department of State (202) 647-1713.

**SUPPLEMENTARY INFORMATION:** Section 4 of the Clean Diamond Trade Act (the "Act") requires the President to prohibit the importation into, or the exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme (KPCS). Under Section 3(2) of the Act, "controlled through the Kimberley Process Certification Scheme" means an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is either (i) carried out in accordance with the KPCS, as set forth in regulations promulgated by the President, or (ii) controlled under a system determined by the President to meet substantially the standards,

practices, and procedures of the KPCS. The referenced regulations are contained at 31 CFR Part 592 ("Rough Diamonds Control Regulations") (69 FR 56936, September 23, 2004).

Section 6(b) of the Act requires the President to publish in the **Federal Register** a list of all Participants, and all Importing and Exporting Authorities of Participants, and to update the list as necessary. Section 2 of Executive Order 13312 of July 29, 2003 delegates this function to the Secretary of State. Section 3(7) of the Act defines "Participant" as a state, customs territory, or regional economic integration organization identified by the Secretary of State. Section 3(3) of the Act defines "Exporting Authority" as one or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate a Kimberley Process Certificate. Section 3(4) of the Act defines "Importing Authority" as one or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regarding imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

#### List of Participants

Pursuant to Section 3 of the Clean Diamond Trade Act (the Act), Section 2 of Executive Order 13312 of July 29, 2003, and Delegation of Authority No. 245 (April 23, 2001), I hereby identify the following entities as of September 20, 2005, as Participants under section 6(b) of the Act. Included in this List are the Importing and Exporting Authorities for Participants, as required by Section 6(b) of the Act. This list revises the previously published list of August 15, 2005 (70 FR 49006-49007, August 22, 2005).

Angola—Ministry of Geology and Mines.

Armenia—Ministry of Trade and Economic Development.

Australia—Exporting Authority—Department of Industry, Tourism and Resources; Importing Authority—Australian Customs Service.

Belarus—Department of Finance.

Botswana—Ministry of Minerals, Energy and Water Resources.

Brazil—Ministry of Mines and Energy.

Bulgaria—Ministry of Finance.

Canada—Natural Resources Canada.

Central African Republic—Ministry of Energy and Mining.

China—General Administration of Quality Supervision, Inspection and Quarantine.

Democratic Republic of the Congo—Ministry of Mines and Hydrocarbons.

Croatia—Ministry of Economy.

European Community—DG/External Relations/A.2.

Ghana—Precious Minerals and Marketing Company Ltd.

<sup>7</sup> 17 CFR 200.30-3(a)(12).

Guinea—Ministry of Mines and Geology.  
 Guyana—Geology and Mines Commission.  
 India—The Gem and Jewellery Export Promotion Council.  
 Indonesia—Directorate General of Foreign Trade of the Ministry of Trade.  
 Israel—The Diamond Controller.  
 Ivory Coast—Ministry of Mines and Energy.  
 Japan—Ministry of Economy, Trade and Industry.  
 Republic of Korea—Ministry of Commerce, Industry and Energy.  
 Laos—Ministry of Finance.  
 Lebanon—Ministry of Economy and Trade.  
 Lesotho—Commissioner of Mines and Geology.  
 Malaysia—Ministry of International Trade and Industry.  
 Mauritius—Ministry of Commerce.  
 Namibia—Ministry of Mines and Energy.  
 Norway—The Norwegian Goldsmiths' Association.  
 Romania—National Authority for Consumer Protection.  
 Russia—Gokhran, Ministry of Finance.  
 Sierra Leone—Government Gold and Diamond Office.  
 Singapore—Singapore Customs.  
 South Africa—South African Diamond Board.  
 Sri Lanka—National Gem and Jewellery Authority.  
 Switzerland—State Secretariat for Economic Affairs.  
 Taiwan—Bureau of Foreign Trade.  
 Tanzania—Commissioner for Minerals.  
 Thailand—Ministry of Commerce.  
 Togo—Ministry of Mines and Geology.  
 Ukraine—State Gemological Centre of Ukraine.  
 United Arab Emirates—Dubai Metals and Commodities Center.  
 United States of America—Importing Authority—United States Bureau of Customs and Border Protection; Exporting Authority—Bureau of the Census.  
 Venezuela—Ministry of Energy and Mines.  
 Vietnam—Ministry of Trade.  
 Zimbabwe—Ministry of Mines and Mining Development.

**Robert B. Zoellick,**

*Deputy Secretary of State, Department of State.*

[FR Doc. 05-21377 Filed 10-25-05; 8:45 am]

**BILLING CODE 4710-07-P**

## DEPARTMENT OF STATE

[Public Notice 5171]

### Announcement of Meetings of the International Telecommunication Advisory Committee

**SUMMARY:** The International Telecommunication Advisory Committee announces meetings in preparation for the December meeting of the International Telecommunication Union Telecommunication Development Advisory Group (TDAG) and December meetings of the Organization for Economic Cooperation and Development/Committee for Information, Computer and Communications Policy (OECD/ICCP) Working Party on Telecommunications and Information Services Policies (TISP) and Working Party on the Information Economy (WPIE). Members of the public will be admitted to the extent that seating is available, and may join in the discussions, subject to the instructions of the Chair. Directions to the meeting location are available to the public on the Internet and conference bridge information may be obtained from [minardje@state.gov](mailto:minardje@state.gov). End Summary.

The International Telecommunication Advisory Committee (ITAC) will meet at the U.S. Department of State, Harry S. Truman Building Room 2533A to prepare for meetings of the OECD/ICCP Working Parties ITU-D Telecommunication Development Advisory Group (TDAG), on Wednesday, November 16, and Wednesday, November 30, 2005, all meetings 2-3 p.m. The International Telecommunication Advisory Committee (ITAC) will meet at the U.S. Department of State, Harry S. Truman Building Room 2533A to prepare for meetings of the ITU-D Telecommunication Development Advisory Group (TDAG), on Thursday, November 3, Thursday, November 10, and Thursday, November 17, 2005, all meetings 10 a.m.—noon.

Dated: October 19, 2005.

**Marian Gordon,**

*Director, Telecommunication & Information Standardization, International Communications & Information Policy, Department of State.*

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**BILLING CODE 4710-07-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Waiver of Aeronautical Land-Use Assurance Delta County Airport Escanaba, MI

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of intent of waiver with respect to land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal to change a portion of the airport from aeronautical use to non-aeronautical use and to authorize the lease of the airport property. The proposal consists of 1 parcel of land, totaling approximately 3.6 acres. Current use and present condition is undeveloped land compatible with local commercial/industrial zoning classification. The land was acquired under part of the property from the City of Escanaba deeded to Delta County for airport use. There are no impacts to the airport by allowing the airport to lease of the property. Subject land may provide good commercial/industrial development opportunities for the community and are well outside airport perimeter fence limits. Approval does not constitute a commitment by the FAA to financially assist in the lease of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the lease of the airport property will be in accordance FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before October 28, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Marlon D. Peña, Program Manager, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET-ADO 610, 11677 South Wayne Road, Romulus, Michigan 48174. Telephone Number (734) 229-2909/ FAX Number (734) 229-2950.

Documents reflecting this FAA action may be reviewed at this same location or at Delta County Airport, Escanaba, Michigan.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the property