

For the Nuclear Regulatory Commission.

**Cornelius F. Holden,**

*Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Generalized System of Preferences (GSP): Notice of Difficulty in Receiving Petitions for the 2006 Annual GSP Product and Country Practices Review

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

**ACTION:** Notice of difficulty in receiving petitions for the 2006 Annual GSP Product and Country Practices Review.

**SUMMARY:** This notice identifies those petitions that the Office of the United States Trade Representative (USTR) received by the deadline of July 20, 2006, for consideration in the 2006 Annual Review. Because of technical difficulties in receiving petitions, USTR requests parties who submitted petitions prior to July 20, 2006, to review the list of petitioners included in the **SUPPLEMENTARY INFORMATION** and to notify the USTR of any petitions that were submitted to the GSP Subcommittee by 5 p.m., July 20, 2006, but not included in that list.

**FOR FURTHER INFORMATION CONTACT:** The GSP Subcommittee of the Trade Policy Staff Committee, Office of the United States Trade Representative, 1724 F Street, NW., Room F-220, Washington, DC 20508. The telephone number is (202) 395-6971, the facsimile number is (202) 395-9481, and the e-mail address is [FR0618@USTR.EOP.GOV](mailto:FR0618@USTR.EOP.GOV).

**SUPPLEMENTARY INFORMATION:** On June 29, 2006, USTR published a request for petitions for the 2006 Annual GSP Product and Country Practices Review (71 FR 37129, June 29, 2006). Because of technical problems, USTR may not have received all the petitions which were submitted. We did receive petitions from the following parties: ANFACER (Brazilian Association of Ceramic Tile Manufacturers), The Home Depot, the International Intellectual Property Association (IIPA), AFL-CIO, and R&J Trading International Company, Inc. Parties that can verify submission of a petition not included in this list should call the GSP Subcommittee at (202) 395-6971 and then resubmit the petition to [FR0618@USTR.EOP.GOV](mailto:FR0618@USTR.EOP.GOV). Parties must also include proof that the petition was transmitted by e-mail to the GSP

Subcommittee by the July 20, 2006, deadline. Such documentation may include a copy of the original e-mail transmitting the petition, indicating the original date and time, from a "sent message" folder. The deadline for re-submitting any petitions meeting these criteria is 5 p.m., August 11, 2006.

**Public Review:** Public versions of all documents relating to the 2006 Annual Review will be available for examination on or before August 21, 2006, by appointment, in the USTR public reading room, 1724 F Street, NW., Washington, DC. Appointments may be made from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday, by calling (202) 395-6186.

**Marideth Sandler,**

*Executive Director GSP, Chairman, GSP Subcommittee of the Trade Policy Staff Committee.*

[FR Doc. E6-12313 Filed 7-31-06; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Generalized System of Preferences (GSP): Initiation of a Review To Consider the Designation of East Timor as a Least Developed Beneficiary Developing Country Under the GSP

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

**ACTION:** Notice and solicitation of public comment.

**SUMMARY:** This notice announces the initiation of a review to consider the designation of East Timor as a least developed beneficiary developing country under the GSP program and solicits public comment relating to the designation criteria. Comments are due on August 25, 2006, in accordance with the requirements for submissions, explained below.

**ADDRESSES:** Submit comments by electronic mail (e-mail) to: [FR0618@ustr.eop.gov](mailto:FR0618@ustr.eop.gov). For assistance or if unable to submit comments by e-mail, contact the GSP Subcommittee, Office of the United States Trade Representative; USTR Annex, Room F-220; 1724 F Street, NW., Washington, DC 20508 (Tel. 202-395-6971).

**FOR FURTHER INFORMATION CONTACT:** Contact the GSP Subcommittee, Office of the United States Trade Representative; USTR Annex, Room F-220; 1724 F Street, NW., Washington, DC 20508 (Telephone: 202-395-6971, Facsimile: 202-395-9481).

**SUPPLEMENTARY INFORMATION:** The GSP Subcommittee of the Trade Policy Staff

Committee (TPSC) has initiated a review in order to make a recommendation to the President as to whether East Timor meets the eligibility criteria of the GSP statute, as set out below. After considering the eligibility criteria, the President is authorized to designate East Timor as a least developed beneficiary developing country for purposes of the GSP.

Interested parties are invited to submit comments regarding the eligibility of East Timor for designation as a least developed beneficiary developing country. Documents should be submitted in accordance with the instructions below to be considered in this review.

### Eligibility Criteria

The trade benefits of the GSP program are available to any country that the President designates as a GSP "beneficiary developing country." Additional trade benefits under the GSP are available to any country that the President designates as a GSP "least-developed beneficiary developing country." In designating countries as GSP beneficiary developing countries, the President must consider the criteria in sections 502(b)(2) and 502(c) of the Trade Act of 1974, as amended (19 U.S.C. 2462(b)(2), 2462(c)) ("the Act"). Section 502(b)(2) provides that a country is ineligible for designation if:

1. Such country is a Communist country, unless—
  - (a) The products of such country receive nondiscriminatory treatment, (b) Such country is a WTO Member (as such term is defined in section 2(10) of the Uruguay Round Agreements Act) (19 U.S.C. 3501(10)) and a member of the International Monetary Fund, and (c) Such country is not dominated or controlled by international communism.
2. Such country is a party to an arrangement of countries and participates in any action pursuant to such arrangement, the effect of which is—

(a) To withhold supplies of vital commodity resources from international trade or to raise the price of such commodities to an unreasonable level, and (b) To cause serious disruption of the world economy.

3. Such country 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.

4. Such country—
 

- (a) Has nationalized, expropriated, or otherwise seized ownership or control of property, including patents, trademarks, or copyrights, 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, (b) Has taken steps to repudiate or nullify an existing contract or agreement with a United States citizen or a corporation, partnership, or association which is 50 percent or more beneficially owned by United States citizens, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of property, including patents, trademarks, or copyrights, so owned, or (c) Has imposed or enforced taxes or other exactions, restrictive maintenance or operational conditions, or other measures with respect to property, including patents, trademarks, or copyrights, so owned, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of such property, unless the President determines that—

(i) Prompt, adequate, and effective compensation has been or is being made to the citizen, corporation, partnership, or association referred to above, (ii) Good faith negotiations to provide prompt, adequate, and effective compensation under the applicable provisions of international law are in progress, or the country is otherwise taking steps to discharge its obligations under international law with respect to such citizen, corporation, partnership, or association, or (iii) A dispute involving such citizen, corporation, partnership, or association over compensation for such a seizure has been submitted to arbitration under the provisions of the Convention for the Settlement of Investment Disputes, or in another mutually agreed upon forum, and the President promptly furnishes a copy of such determination to the Senate and House of Representatives.

5. Such country fails to act in good faith in recognizing as binding or 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, which have been made by arbitrators appointed for each case or by permanent arbitral bodies to which the parties involved have submitted their dispute.

6. Such country aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism or the Secretary of State makes a determination with respect to such country under section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. Appx. section 2405(j)(1)(A)) or such country has not taken steps to

support the efforts of the United States to combat terrorism.

7. Such country has not taken or is not taking steps to afford internationally recognized worker rights to workers in the country (including any designated zone in that country).

8. Such country has not implemented its commitments to eliminate the worst forms of child labor.

Section 502(c) provides that, in determining whether to designate any country as a GSP beneficiary developing country, the President shall take into account:

1. An expression by such country of its desire to be so designated;

2. The level of economic development of such country, including its per capita gross national product, the living standards of its inhabitants, and any other economic factors which the President deems appropriate;

3. Whether or not other major developed countries are extending generalized preferential tariff treatment to such country;

4. The extent to which such country has assured the United States that it will provide equitable and reasonable access to the markets and basic commodity resources of such country and the extent to which such country has assured the United States that it will refrain from engaging in unreasonable export practices;

5. The extent to which such country is providing adequate and effective protection of intellectual property rights;

6. The extent to which such country has taken action to—

(a) Reduce trade distorting investment practices and policies (including export performance requirements); and (b) Reduce or eliminate barriers to trade in services; and

7. Whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights. Note that the Trade Act of 2002 amended paragraph (D) of the definition of the term “internationally recognized worker rights,” which now includes: (A) The right of association; (B) the right to organize and bargain collectively; (C) a prohibition on the use of any form of forced or compulsory labor; (D) a minimum age for the employment of children and a prohibition on the worst forms of child labor as defined in paragraph (6) of section 507(4) of the Act; and (E) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

To designate a country as a least-developed beneficiary developing country, the President must consider the criteria in section 502(c), as well as the criteria in section 501 of the Act. Section 501 provides that, in extending preferences under the GSP, the President shall have due regard for:

1. The effect such action will have on furthering the economic development of developing countries through the expansion of their exports.

2. The extent to which other major developed countries are undertaking a comparable effort to assist developing countries by granting generalized preferences with respect to imports of products of such countries.

3. The anticipated impact of such action on United States producers of like or directly competitive products.

4. The extent of the beneficiary developing country's competitiveness with respect to eligible articles.

#### Requirements for Submissions

All submissions must conform to the GSP regulations set forth at 15 CFR Part 2007, except as modified below. Comments must be submitted, in English, to the Chairman of the GSP Subcommittee of the Trade Policy Staff Committee (TPSC) as soon as possible, but not later than 5 p.m., August 25, 2006.

In order to facilitate prompt consideration of submissions, USTR strongly prefers electronic e-mail submissions in response to this notice. Hand-delivered submissions will not be accepted. E-mail submissions should be single-copy transmissions in English with the total submission, including attachments, not to exceed 30 single-spaced standard letter-size pages using 12-point type. The e-mail transmission should use the following subject line: “East Timor GSP Eligibility Review”. Documents must be submitted as either MSWord (“.doc”), WordPerfect (“.wpd”), or text (“.txt”) files. Documents submitted as electronic image files or containing imbedded images (for example, “.jpg”, “.pdf”, “.bmp”, “.tif”, or “.gif”) will not be accepted. Spreadsheets submitted as supporting documentation are acceptable as Excel files, pre-formatted for printing only on 8½ x 11 inch paper. To the extent possible, any data attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Submissions in response to this notice will be subject to public inspection by appointment with the staff of the USTR Public Reading Room except for information granted “business

confidential” status pursuant to 15 CFR 2003.6.

If the submission contains business confidential information, a non-confidential version of the submission must also be submitted that indicates where confidential information was redacted by inserting asterisks where material was deleted. In addition, the confidential version must be clearly marked “Business Confidential” at the top and bottom of each page of the document. The non-confidential version must be clearly marked “Public” or “Non-Confidential” at the top and bottom of each page. Documents that are submitted without any marking might not be accepted or will be considered public documents.

For any document containing business confidential information submitted as an electronic attached file to an e-mail transmission, 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 character “P-”. The “BC-” or “P-” should be followed by the name of the party (government, company, union, association, etc.) which is submitting the comments.

E-mail submissions should not include separate cover letters or messages in the message area of the e-mail; information that might appear in any cover letter should be included directly in the attached file containing the submission itself, including the sender’s identifying information with telephone number, fax number, and e-mail address. The e-mail address for these submissions is [FR0618@ustr.eop.gov](mailto:FR0618@ustr.eop.gov). Documents not submitted in accordance with these instructions might not be considered in this review. If unable to provide submissions by e-mail, please contact the GSP Subcommittee to arrange for an alternative method of transmission.

Public versions of all documents relating to this review will be available for public review approximately three weeks after the due date by appointment in the USTR Public Reading Room, 1724 F Street, NW., Washington, DC. Availability of documents may be ascertained, and appointments may be made from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday, by calling 202-395-6186.

**Marideth J. Sandler,**

*Executive Director for the GSP Program,  
Chairman, GSP Subcommittee of the Trade  
Policy Staff Committee.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54216; File No. SR-CBOE-2006-58]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing of a Proposed Rule Change and Amendment No. 1 Thereto Regarding DPM and E-DPM Membership Ownership Requirements and the Ultimate Matching Algorithm

July 26, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on June 14, 2006, the Chicago Board Options Exchange, Incorporated (“CBOE” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been substantially prepared by the Exchange. The CBOE filed Amendment No. 1 to the proposed rule change on July 18, 2006.<sup>3</sup> The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

CBOE proposes to amend CBOE Rules relating to membership ownership requirements. CBOE also proposes to amend the provisions of CBOE Rules 6.45A and 6.45B which provide that a DPM or Lead Market Maker (“LMM”) utilizing more than one membership in the trading crowd where a class is traded will count as two market participants for purposes of Component A of the Ultimate Matching Algorithm (“UMA”). The text of the proposed rule change is available on the Exchange’s Web site (<http://www.cboe.com>), at the Office of the Secretary, CBOE and at the Commission’s Public Reference Room.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of those

statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

#### A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

CBOE Rules 8.85 and 8.92 require that a DPM organization and e-DPM organization, respectively, own a certain number of Exchange memberships. Specifically, with respect to DPM organizations, CBOE Rule 8.85 requires that each DPM organization own one Exchange membership for each trading location at which the organization serves as a DPM. CBOE Rule 8.92 requires that until July 12, 2007, each e-DPM organization is required to own one Exchange membership for every 30 products allocated to the e-DPM, or lease one Exchange membership for every 20 products allocated to the e-DPM.<sup>4</sup>

CBOE proposes to modify these membership ownership requirements in connection with the Exchange’s determination to apply a specific “appointment cost” to each options class allocated to a DPM organization or an e-DPM organization. With respect to DPM organizations, CBOE Rule 8.85, as proposed to be amended, would require that each DPM organization own one Exchange membership, and own or lease such additional Exchange memberships as may be necessary based on the aggregate “appointment cost” for the classes allocated to the DPM organization. Each membership owned or leased by the DPM organization would have an appointment credit of 1.0. The appointment costs for the Hybrid 2.0 Option Classes and the Non-Hybrid Classes allocated to the DPM organization would be the same as the appointment costs set forth in CBOE Rule 8.3. The appointment cost for Hybrid Option Classes would be .01 per class.

For example, if the DPM organization has been allocated such number of options classes that its aggregate appointment cost is 1.6, the DPM organization would be required to own at least one Exchange membership, and own or lease one additional Exchange membership. As it currently does for purposes of Remote Market Maker (“RMMs”) and Market-Maker

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> Amendment No. 1 replaced and superseded the original filing in its entirety.

<sup>4</sup> After July 12, 2007, each e-DPM organization is required to own one Exchange membership for every 30 products allocated to the e-DPM.