

program provisions for fiscal year (FY) 2007 (Oct. 1, 2006, through Sept. 30, 2007). The in-quota quantity of the tariff-rate quota for raw cane sugar for FY 2007 is 1,343,992 metric tons\* raw value, which is 226,797 metric tons above the minimal amount to which the United States is committed under the World Trade Organization (WTO) Uruguay Round Agreements. The FY 2007 raw sugar tariff-rate quota will be allowed early entry beginning August 7, 2006 and no shipping patterns will be established. USTR is allocating this quantity. The total quantity of the raw cane sugar allocations of 1,343,992 metric tons raw value is being allocated to the following countries:

Country	FY 2007 raw cane sugar allocations (metric tons raw value)
Argentina .....	55,112
Australia .....	106,378
Barbados .....	8,972
Belize .....	14,098
Bolivia .....	10,253
Brazil .....	185,841
Colombia .....	30,760
Congo .....	7,258
Costa Rica .....	19,225
Cote d'Ivoire .....	7,258
Dominican Republic .....	225,573
Ecuador .....	14,098
El Salvador .....	33,323
Fiji .....	11,535
Gabon .....	7,258
Guatemala .....	61,520
Guyana .....	15,380
Haiti .....	7,258
Honduras .....	12,817
India .....	10,253
Jamaica .....	14,098
Madagascar .....	7,258
Malawi .....	12,817
Mauritius .....	15,380
Mexico .....	7,258
Mozambique .....	16,662
Nicaragua .....	26,915
Panama .....	37,168
Papua New Guinea .....	7,258
Paraguay .....	7,258
Peru .....	52,548
Philippines .....	173,025
South Africa .....	29,478
St. Kitts & Nevis .....	7,258
Swaziland .....	20,507
Taiwan .....	15,380
Thailand .....	17,943
Trinidad & Tobago .....	8,972
Uruguay .....	7,258
Zimbabwe .....	15,380

These allocations are based on the countries' historical shipments to the United States. The allocations of the raw cane sugar tariff-rate quota to countries that are net importers of sugar are conditioned on receipt of the appropriate verifications of origin.

On July 27, 2006, the Secretary of Agriculture established the FY 2007 refined sugar tariff-rate quota 57,000 metric tons raw value for which the sucrose content, by weight in the dry state, must have a polarimeter reading of 99.5 degrees or more. This amount includes the minimum level to which the United States is committed under the WTO Uruguay Round Agreement (22,000 metric tons raw value of which 1,656 metric tons raw value is specialty sugar) and an additional 35,000 metric tons raw value for specialty sugars. USTR is allocating a total of 10,300 metric tons raw value to Canada, 2,954 metric tons raw value to Mexico, and 7,090 metric tons raw value to be administered on a first-come, first-served basis. This additional amount combined with a specialty sugar allocation of 1,656. The 36,656 metric tons raw value allocation of specialty sugar, which includes the additional 35,000 metric tons raw value of specialty sugar and the specialty sugar allocation of 1,656 metric tons raw value included in the 22,000 metric tons raw value WTO minimum, will be administered on a first-come, first-served basis.

With respect to the tariff-rate quota of 64,709 metric tons for certain sugar-containing products maintained under Additional U.S. Note to Chapter 17 to the Harmonized Tariff Schedule of the United States, 59,250 metric tons is being allocated to Canada. The remainder of the sugar-containing products tariff-rate quota is available for other countries on a first-come, first-served basis.

#### Mexico

As USDA noted in its press release of July 27, the United States and Mexico have determined jointly, in accordance with Annex 703.2 of North American Free Trade Agreement (NAFTA), that Mexico is projected to be a net surplus producer of sugar for FY 2007, and accordingly that Mexico will be permitted to enter up to 250,000 metric tons raw or refined sugar duty free in FY 2007. Quantities allocated to Mexico under WTO raw cane sugar tariff-rate quota, but not the WTO refined sugar tariff-rate quota, will be counted against this amount. Certificates for quota eligibility are required for entry of tariff-rate quota sugar from Mexico.

As also noted in the USDA press release, the United States and Mexico have reached an agreement on market access for sweeteners. That agreement, set forth in an exchange of letters dated July 27, 2006, provides Mexico duty-free access to the United States for 250,000 metric tons raw value of raw or refined

sugar in FY 2007 and at least 175,000 metric tons raw value of raw or refined sugar for the first three months of FY 2008 (Oct. 1 through Dec. 31, 2007). Under the agreement, Mexico will provide reciprocal access for U.S. high fructose corn syrup (HFCS), including 250,000 metric tons in FY 2007 and at least 175,000 metric tons for the first three months of FY 2008 (Oct. 1 through Dec. 31, 2007). Mexico also commits that effective January 1, 2008 it will not impose duties on U.S. HFCS. The United States and Mexico confirm that on July 3, 2006 they submitted a joint letter to the WTO Dispute Settlement Body regarding the elimination of Mexico's soft drink and distribution taxes. Mexico will establish a duty-free quota for U.S. sugar of not less than 7,258 metric tons raw value for each of marketing years 2006, 2007, and 2008. The over-quota tariff on U.S. sugar will be eliminated effective January 1, 2008 as provided for in the NAFTA.

For its part, Mexico announced on July 27 its actions to implement the July 27 agreement with respect to FY 2007 amounts. Mexico and the United States will consult before July 1, 2007 in order to set allocations for the first three months of FY 2008, which per the agreement may range from 175,000 metric tons raw value to 250,000 metric tons raw value.

\*Conversion factor: 1 metric ton = 1.10231125 short tons.

**Susan C. Schwab,**

*United States Trade Representative.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54266; File No. SR-Amex-2006-58]

### Self-Regulatory Organizations; American Stock Exchange LLC; Order Granting Approval of a Proposed Rule Change Relating to an Amendment to Amex Rule 27

August 2, 2006.

On June 9, 2006, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to amend Amex Rule 27 to revise the number and composition of the Allocation Committee ("Allocations

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

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

Committee" or "Committee"). The proposed rule change was published for comment in the **Federal Register** on June 30, 2006.<sup>3</sup> The Commission received no comments on the proposal. This order approves the proposed rule change.

Currently, the Committee consists of six members. Specifically, the Chief Executive Officer (or his or her designee), a representative of an upstairs member firm and either: (i) Four brokers for equities and other securities admitted to trading on the Exchange except for Exchange Traded Funds and options; (ii) two brokers and two Registered Traders for Exchange Traded Funds; or (iii) two brokers and two Registered Options Traders for options.

The Exchange proposes to change the number and composition of the Allocation Committee from six to eight members. The Exchange proposes to amend Amex Rule 27 to revise the number and composition of the Allocations Committee so that the Committee consists of the Chief Executive Officer of the Exchange (or his or her designee), a representative of an upstairs member firm and either: (i) Six brokers for equities and other securities admitted to trading on the Exchange except for Exchange Traded Funds and options; (ii) three brokers and three Registered Traders for Exchange Traded Funds; or (iii) three brokers and three Registered Options Traders for options. The minimum quorum requirement would remain at four persons.<sup>4</sup> According to the Exchange, because a small number of members now comprise the Allocations Committee, the minimum quorum requirement of four persons to conduct business has become overly burdensome.<sup>5</sup> The Exchange represents that the Allocations Committee often fails to meet the minimum quorum requirement to transact business.

The Commission finds that the proposed rule change is consistent with the requirements of Section 6 of the Act,<sup>6</sup> and the rules and regulations thereunder applicable to a national securities exchange.<sup>7</sup> In particular, the

Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>8</sup> which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system. The Commission believes that increasing the number of members of the Committee, from six to eight members, will provide greater flexibility and efficiency to the Allocations Committee to better achieve the minimum four person quorum requirement to transact business.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>9</sup> that the proposed rule change (SR-Amex-2006-58) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54264; File No. SR-NASDAQ-2006-015]

### Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Fees Associated With the Use of the National Association of Securities Dealers, Inc.'s Web Central Registration Depository System

August 2, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 17, 2006, The NASDAQ Stock Market LLC ("Nasdaq") 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 prepared by Nasdaq. Nasdaq has designated this proposal as establishing or changing a due, fee, or

impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>1</sup> 15 U.S.C. 78f(b)(5).

<sup>2</sup> 15 U.S.C. 78s(b)(2).

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

<sup>4</sup> 15 U.S.C. 78s(b)(1).

<sup>5</sup> 17 CFR 240.19b-4.

other charge imposed by Nasdaq pursuant to Section 19(b)(3)(A)(ii) of the Act,<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the proposed rule change effective upon filing with the Commission. 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

Nasdaq proposes to implement fees for Nasdaq members that are not members of the National Association of Securities Dealers, Inc. ("NASD"), in connection with such members' use of NASD's Web Central Registration Depository ("CRD") system. Nasdaq will implement the proposed rule change immediately. The text of the proposed rule change is below. Proposed new language is *italicized*.

\* \* \* \* \*

#### 7003. Registration and Processing Fees

*The following fees will be collected and retained by NASD via the Web CRD registration system for the registration of associated persons of Nasdaq members that are not also NASD members:*

(1) \$85 for each initial Form U4 filed for the registration of a representative or principal;

(2) \$95 for the additional processing of each initial or amended Form U4 or Form U5 that includes the initial reporting, amendment, or certification of one or more disclosure events or proceedings;

(3) \$30 annually for each of the member's registered representatives and principals for system processing;

(4) \$13 for processing and posting to the CRD system each set of fingerprints submitted by the member, plus a pass-through of any other charge imposed by the United States Department of Justice for processing each set of fingerprints;

(5) \$13 for processing and posting to the CRD system each set of fingerprint results and identifying information that has been processed through a self-regulatory organization other than NASD; and

(6) a \$75 session fee for each individual who is required to complete the Regulatory Element of the Continuing Education Requirements pursuant to Nasdaq Rule 1120.

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<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

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

<sup>3</sup> See Securities Exchange Act Release No. 54039 (June 23, 2006), 71 FR 37627.

<sup>4</sup> The Commission notes that the Allocations Committee is chaired by the Chief Executive Officer (or his or her designee) who does not vote except to make or break a tie. See Amex Rule 27(a).

<sup>5</sup> In October 2005, the Commission approved an Exchange proposal to combine three separate Allocation Committees into a single Committee and reduce the composition of the Committee to six members. See Securities Exchange Act Release No. 52646 (October 20, 2005), 70 FR 61854 (October 26, 2005).

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> In approving this proposed rule change, the Commission has considered the proposed rule's