

of filing.<sup>13</sup> However, Rule 19b–4(f)(6)(iii)<sup>14</sup> permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the five-day pre-filing notice requirement and the 30-day pre-operative delay. The Commission is exercising its authority to waive the five-day pre-filing requirement and believes that waiver of the 30-day pre-operative delay is consistent with the protection of investors and in the public interest. Waiving the five-day pre-filing requirement and 30-day pre-operative delay will allow the Pilot Program to continue uninterrupted.<sup>15</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance 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](mailto:rule-comments@sec.gov). Please include File No. SR–Phlx–2005–51 on the subject line.

##### *Paper Comments*

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

All submissions should refer to File No. SR–Phlx–2005–51. 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 Room, 100 F Street, NE., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. 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–Phlx–2005–51 and should be submitted on or before September 12, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>16</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E5–4549 Filed 8–19–05; 8:45 am]

**BILLING CODE 8010–01–P**

#### DEPARTMENT OF STATE

##### [Public Notice 5161]

#### **Culturally Significant Objects Imported for Exhibition Determinations: “Hesse: A Princely German Collection”**

**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 “Hesse: A Princely German Collection”, 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 owners. I also determine that the

exhibition or display of the exhibit objects at the Portland Art Museum, from on or about October 29, 2005, until on or about March 19, 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 Richard Lahne, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: (202) 453–8058). The address is U.S. Department of State, SA–44, 301 4th Street, SW., Room 700, Washington, DC 20547–0001.

Dated: August 11, 2005.

**C. Miller Crouch,**

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

[FR Doc. 05–16603 Filed 8–19–05; 8:45 am]

**BILLING CODE 4710–08–P**

#### DEPARTMENT OF STATE

#### **Bureau of Economic and Business Affairs**

##### [Public Notice 5160]

#### **List of August 15, 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 (Pub. L. 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 July 29, 2004 (69 FR 47977–47978, August 6, 2004).

**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

<sup>13</sup> 17 CFR 240.19b–4(f)(6)(iii).

<sup>14</sup> *Id.*

<sup>15</sup> For the purposes only of waiving the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. <sup>16</sup> 17 U.S.C. 78c(f).

<sup>16</sup> 17 CFR 200.30–3(a)(12).

(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 August 15, 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 July 29, 2004 (69 FR 47977-47978, August 6, 2004).

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.  
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.  
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.

This notice shall be published in the **Federal Register**.

**Robert B. Zoelick**,  
*Deputy Secretary of State, Department of State.*  
[FR Doc. 05-16602 Filed 8-19-05; 8:45 am]  
**BILLING CODE 4710-07-U**

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. OST-2005-22114]

RIN 2105-AD53

### Time Zone Boundaries in the State of Indiana

**AGENCY:** Office of the Secretary, DOT.  
**ACTION:** Correction notice.

**SUMMARY:** This notice corrects the docket number identified in the August 17, 2005 publication of a notice to initiate proceedings to hold hearings in the appropriate locations in Indiana on the issue of the location of the boundary between the Eastern and Central Time Zones in Indiana.

**DATE:** *Effective Date:* August 22, 2005.

**ADDRESSES:** You may submit petitions [identified by the docket number in the heading at the beginning of this document] by any of the following methods:

- Web site: <http://dms.dot.gov>.

Follow the instructions for submitting petitions on the DOT electronic docket site.

- Fax: 1-202-493-2251.

• Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

• Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

#### FOR FURTHER INFORMATION CONTACT:

Joanne Petrie, Office of the General Counsel (C-50), 400 Seventh Street, SW., Washington, DC 20590; e-mail [indianatime@dot.gov](mailto:indianatime@dot.gov); (202) 366-9306.

**SUPPLEMENTARY INFORMATION:** The notice published on August 17, 2005 (70 FR