

Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number SR-Phlx-2005-57. 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 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 publicly available. All submissions should refer to File Number SR-Phlx-2005-57 and should be submitted on or before November 4, 2005.

#### IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

After careful consideration, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder, applicable to a national securities exchange.<sup>7</sup> In particular, the Commission believes that the proposed rule change is consistent with Section 6(b)(5) of the Act.<sup>8</sup> The Commission notes that the proposed index dissemination requirement is similar to the index dissemination requirement used in the listing standards for narrow-based index options.<sup>9</sup> The Phlx defines "one or more

<sup>7</sup> In approving this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>8</sup> 15 U.S.C. 78f(b)(5).

<sup>9</sup> See e.g., Chicago Board Options Exchange Rule 24.2(b); International Securities Exchange Rule 2002(b); Pacific Exchange Rule 5.13; and Philadelphia Stock Exchange Rule 1009A(b) (listing standards for narrow-based index options requiring that, among other things, the current underlying

major market data vendor" to include the Consolidated Tape Association or private vendors, such as Reuters or Bloomberg.<sup>10</sup> The Commission believes, however, that it is critical that such service widely disseminate such index value to market participants.

The Phlx has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after publication of notice thereof in the **Federal Register**. The Commission notes that it has recently approved similar proposals regarding the dissemination of the underlying index value for exchange traded funds traded on Nasdaq, the American Stock Exchange LLC ("Amex"), and the New York Stock Exchange, Inc. ("NYSE").<sup>11</sup> The Commission believes that granting accelerated approval of the proposal will allow the Phlx to immediately implement these listing standards for dissemination of the underlying index value that are in place on Nasdaq, the Amex, and the NYSE. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>12</sup> for approving the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register**.

#### V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>13</sup> that the proposed rule change (SR-Phlx-2005-57) be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>14</sup>

**J. Lynn Taylor**,

*Assistant Secretary*.

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index value be reported at least once every 15 seconds during the time the index option trades on the exchange).

<sup>10</sup> The Commission notes, however, that if a self-regulatory organization designates a data vendor, on an exclusive basis, to disseminate an index value on behalf of the self-regulatory organization, such vendor would be an "exclusive processor" under Section 3(a)(22)(B) of the Act and, absent an exemption, required to register as a securities information processor under Section 11A(b)(1) of the Act.

<sup>11</sup> See Securities Exchange Act Release Nos. 51748 (May 26, 2005), 70 FR 32684 (June 3, 2005) (SR-NASD-2005-024); 51868 (June 17, 2005), 70 FR 36672 (June 24, 2005) (SR-Amex-2005-044); and 52081 (July 20, 2005), 70 FR 43488 (July 27, 2005) (SR-NYSE-2005-44).

<sup>12</sup> 15 U.S.C. 78s(b)(2).

<sup>13</sup> 15 U.S.C. 78s(b)(2).

<sup>14</sup> 17 CFR 200.30-3(a)(12).

## DEPARTMENT OF STATE

[Public Notice 5206]

### Determination Under Section 564 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236, as Amended; Suspending Prohibitions on Certain Sales and Leases Under the Anti-Economic Discrimination Act of 1994

Pursuant to the authority vested in the President by Section 564 of the Foreign Relations Authorization Act ("the Act"), Fiscal Years 1994 and 1995, Public Law 103-236, as amended, which was delegated to the Secretary of State on April 24, 1997, I hereby determine that instituting the suspension of the application of Section 564(a) of the Act to Iraq and extending the suspension of the application of Section 564(a) of the Act to the following eight countries until May 1, 2006 will promote the objectives of section 564: Bahrain, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, United Arab Emirates, Yemen.

This determination will be reported to the appropriate committees of the Congress and published in the **Federal Register**.

Dated: May 13, 2005.

**Condoleezza Rice**,

*Secretary of State, Department of State.*

**Editorial Note:** This document was received in the Office of the Federal Register on October 11, 2005.

[FR Doc. 05-20609 Filed 10-13-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2005-22679; Notice No. 05-09]

### Guidance on Aircraft Noise Certification Documents for International Flights

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The FAA is notifying operators of a proposed advisory circular entitled "Guidance on Aircraft Noise Certification Documents for International Flights." This advisory circular (AC) is in response to the International Civil Aviation Organization (ICAO) adoption of three acceptable options for managing noise certification documents. This AC offers guidance to affected operators on

aircraft noise certification documentation they may choose to carry on board the aircraft that fly to a foreign country. This AC is designed to assist operators in preparing noise certification documents that may be requested by foreign authorities or airports. A suggested document format for operators to present noise certification documentation is provided.

**DATES:** Send your comments on or before December 13, 2005.

**ADDRESSES:** Address your comments to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2005-22679 at the beginning of your comments, and you should submit two copies of your comments. If you wish to receive confirmation that FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing comments to this notice in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Laurette Fisher, Office of Environment and Energy (AEE-100), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3561; facsimile (202) 267-5594.

#### Request for Comment

The FAA is seeking comment on the following proposed AC, "Guidance on Aircraft Noise Certification Documents for International Flights." The FAA encourages all affected operators to participate in this process by commenting on this proposed AC. Comments received in response to this request will be considered in the preparation of the final AC.

Issued in Washington DC on October 5, 2005.

**Paul R. Dykeman,**

*Deputy Director of Environment and Energy.*  
[FR Doc. 05-20635 Filed 10-13-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Release Airport Property at Pearland Regional Airport, Houston, TX

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of request to release airport property.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at the Pearland Regional Airport in accordance with Title 49, United States Code, Section 47153.

**DATES:** Comments must be received on or before November 14, 2005.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Mike Nicely, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Texas Airports Development Office, ASW-650, Fort Worth, Texas 76193-0650.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. A.M. Rivera, Airport Manager, at the following address: Pearland Regional Airport, 17622 Airfield Lane, Pearland, TX 77581.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ben Guttery, Senior Program Manager, Federal Aviation Administration, Texas Airports Development Office, ASW-650, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0650. Telephone: (817) 222-5614. E-mail: [ben.guttery@faa.gov](mailto:ben.guttery@faa.gov). Fax: (817) 222-5989.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at Pearland Regional Airport under the provisions of Title 49, United States Code, section 47153.

On September 15, 2005, the FAA determined that the request to release property at the Pearland Regional Airport, submitted by the airport, met the procedural requirements of the Federal Aviation Regulations, part 155.

The following is a brief overview of the request:

Pearland Regional Airport requests the release of 2.804 acres of non-aeronautical use airport property. The land was one of several parcels acquired by the airport with an Airport Improvement Program (AIP) grant. The land will be traded for the like amount in a nearby runway protection zone.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents relevant to the application in person at the Pearland Regional Airport in Pearland, Texas, telephone number 281-482-7751.

Issued in Fort Worth, Texas on September 15, 2005.

**Kelvin L. Solco,**

*Manager, Airports Division.*

[FR Doc. 05-20631 Filed 10-13-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Meeting of the National Parks Overflights Advisory Group Aviation Rulemaking Committee

**ACTION:** Notice of meeting; correction.

**SUMMARY:** This document makes a correction to a section heading in the notice of meeting published in the **Federal Register** on October 4, 2005. That notice announced an upcoming meeting of the National Parks Overflight Advisory Group Aviation Rulemaking Committee.

**EFFECTIVE DATE:** This correction is effective on October 14, 2005.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Manager, Executive Resource Staff, Western Pacific Region, telephone: (310) 725-3800.

#### Correction

In the notice of meeting FR Doc. 05-19785 published on October 4, 2005, (70 FR 57922), make the following correction:

1. On page 57923, in column 1 at the bottom of the page, correct the heading "Agenda for the November 7-8, 2005 Meeting" to read "Agenda for the November 8-9, 2005 Meeting."

Issued in Washington, DC on October 7, 2005.

**Tony Fazio,**

*Director, Office of Rulemaking.*

[FR Doc. 05-20633 Filed 10-13-05; 8:45 am]

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