

is necessary in the public interest or for the protection of investors, it can suspend trading immediately in any security and commence delisting under Section 804.00 of the NYSE's Listed Company Manual. Indeed, the Commission expects the NYSE to suspend trading quickly and commence delisting proceedings immediately against any late filer continuing to trade under these new provisions should it be necessary to do so based on the facts of the particular situation. The Commission intends to monitor the NYSE's use of the proposed exception to its delisting requirement to ensure that such use is in compliance with the procedures and safeguards set forth in this filing.

Finally, the Commission notes that Section 802.01E of the Exchange's Listed Company Manual currently requires the delisting of the securities of any company that is nine months late in filing its annual report on Form 10-K, unless the Exchange determines that an additional three months is appropriate. The Commission believes that changing the initial time frame that a late filer has to be delisted under the rule from nine months to six months is an improvement. However, because in conjunction with this change, the NYSE is proposing to lengthen the additional period the Exchange can allow a late filer to continue to trade from three months to six months, the total specified time periods under the rule for late filers remains 12 months. While the change will have companies reevaluated more quickly for delisting with no assurance the additional six months will be granted, the Commission continues to believe that the NYSE should consider shortening the total timeframes specified under Rule 802.01E for delisting a late filer, as well as extending such requirements to issuers that are late in filing their quarterly reports with the Commission.<sup>17</sup>

## V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>18</sup> that the proposed rule change (SR-NYSE-2005-75) is approved.

<sup>17</sup> In considering shortening the time periods, the NYSE may want to assess whether the shortened initial six month period for delisting has had any noticeable impact on when later filers actually submit up-to-date annual reports.

<sup>18</sup> 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>19</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. 06-769 Filed 1-25-06; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

[Public Notice 5283]

### Culturally Significant Objects Imported for Exhibition Determinations: "Amorous Intrigues and Painterly Refinement: The Art of Frans van Mieris"

**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 "Amorous Intrigues and Painterly Refinement: The Art of Frans van Mieris," 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 National Gallery of Art, from on or about February 26, 2006, until on or about May 21, 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 Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453-8048). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: January 18, 2006.

**C. Miller Crouch,**

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

[FR Doc. E6-976 Filed 1-25-06; 8:45 am]

**BILLING CODE 4710-05-P**

<sup>19</sup> 17 CFR 200.30-3(a)(12).

## DEPARTMENT OF STATE

[Public Notice 5282]

### Department of State Performance Review Board Members (for Non Career Senior Executive Employees)

In accordance with section 4314 (c) (4) of the Civil Service Reform Act of 1978 (Pub. L. 95-454), the Executive Resources Board of the Department of State has appointed the following individuals to the Department of State Performance Review Board (for Non Career Senior Executive Employees).

Kara G. Licalsi, Under Secretary for Management, White House Liaison, Department of State;

Mary Kathleen Lang, Under Secretary for Management, White House Liaison, Department of State;

Brian F. Gunderson, Chief of Staff, Office of the Secretary, Department of State.

Dated: January 17, 2006.

**W. Robert Pearson,**

*Director General of the Foreign Service and Director of Human Resources, Department of State.*

[FR Doc. E6-991 Filed 1-25-06; 8:45 am]

**BILLING CODE 4710-15-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Policy Statement Number PS-ACE100-2005-50001]

### Applying Advisory Circular 20-152, "RTCA, Inc., Document RTCA/DO-254, Design Assurance Guidance for Airborne Electronic Hardware," to Title 14 Code of Federal Regulations, Part 23 Aircraft

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

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

**SUMMARY:** This notice announces a Federal Aviation Administration (FAA) proposed policy. This memorandum sets up Federal Aviation Administration (FAA) certification policy on applying Advisory Circular (AC) 20-152 to complex airborne electronic hardware (CEH) installed in part 23 aircraft or in airships. The specific issues addressed concern selecting and applying hardware design assurance levels (HDAL) to CEH. This notice advises the public, especially manufacturers of normal, utility, and acrobatic category airplanes, and commuter category airplanes and their suppliers, that the FAA intends to adopt this policy. This