

the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange,<sup>11</sup> and, in particular, the requirements of section 6(b)(5) of the Act.<sup>12</sup> Specifically, the Commission believes that the Exchange's proposed revisions to its specialist participation guarantees to account for whether or not the Exchange has instituted a payment-for-order-flow program are appropriate, particularly as they do not alter the Exchange's requirement that the specialist's participation percentage be limited to 40% (60% when there is only one registered options trader on parity with the specialist or signed on to AutoEx or Quick Trade).<sup>13</sup> The Commission has found with respect to participation guarantees in other contexts that a maximum guarantee of 40% (where more than one trader is participating with the specialist) is not inconsistent with statutory standards of competition and free and open markets.<sup>14</sup>

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act<sup>15</sup>, that the proposed rule change (File No. SR-Amex-2003-44) be, and it hereby is, approved.

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

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 04-6766 Filed 3-25-04; 8:45 am]

**BILLING CODE 8010-01-P**

## **SMALL BUSINESS ADMINISTRATION**

### **Region I Regulatory Fairness Board; Public Federal Regulatory Enforcement Fairness Hearing**

The Small Business Administration Region I Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Thursday, March 25, 2004 at 8:30 a.m. at the Ferguson Library, One Public Library Plaza, 3rd Floor Auditorium,

<sup>11</sup> In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>12</sup> 15 U.S.C. 78f(b)(5).

<sup>13</sup> The Commission notes that, in the context of a trade in which a member firm is facilitating a customer order, the total number of contracts guaranteed to the member firm and the specialist in the aggregate may not exceed 40% of the total transaction. See Amex Rule 950(d), Comm. 02(d)(3).

<sup>14</sup> See, e.g., Securities Exchange Act Release Nos. 42455 (February 24, 2000), 65 FR 11388 (March 2, 2000) at 11398; and 43100 (July 31, 2000), 65 FR 48778 (August 9, 2000) at notes 96-99 and accompanying text.

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

<sup>16</sup> 17 CFR 200.30-3(a)(12).

Stamford, CT 06904, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Marie Record in writing or by fax, in order to be put on the agenda. Marie Record, District Director, Connecticut District Office, 330 Main Street, 2nd Floor, Hartford, CT 06106, phone (860) 240-4670 or (860) 240-4700 ext. 241, fax (860) 240-4717, e-mail: [marie.record@sba.gov](mailto:marie.record@sba.gov).

For more information, see our Web site at <http://www.sba.gov/ombudsman>.

Dated: March 22, 2004.

**Peter Sorum,**

*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 04-6854 Filed 3-25-04; 8:45 am]

**BILLING CODE 8025-01-P**

## **SMALL BUSINESS ADMINISTRATION**

### **Region VII Regulatory Fairness Board; Public Federal Regulatory Enforcement Fairness Hearing**

The Small Business Administration Region VII Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Wednesday, April 14, 2004, at 8:30 a.m. at the Center for Emerging Technologies, 4041 Forest Park Avenue, St. Louis, MO 63108, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Rose E. Garland in writing or by fax, in order to be put on the agenda. Rose Garland, Economic Development Specialist, St. Louis District Office, 200 North Broadway, Suite 1500, St. Louis, MO 63102, phone (314) 539-6600 ext. 232, fax (314) 539-3785, e-mail: [rose.garland@sba.gov](mailto:rose.garland@sba.gov).

For more information, see our Web site at <http://www.sba.gov/ombudsman>.

Dated: March 22, 2004.

**Peter Sorum,**

*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 04-6855 Filed 3-25-04; 8:45 am]

**BILLING CODE 8025-01-P**

## **DEPARTMENT OF STATE**

[Public Notice 4673]

### **Certification Related to Serbia and Montenegro Under Section 1511 of the National Defense Authorization Act, 1994 (Public Law 103-160)**

Pursuant to the authority vested in me as Deputy Secretary of State, including under Section 1511 of the National Defense Authorization Act, 1994 (Public Law 103-160), the President's Delegation of Responsibilities Related to the Federal Republic of Yugoslavia, dated March 22, 2001, and the Secretary of State's Delegation of Authority Number 245, dated April 23, 2001, I hereby certify that the waiver of the application of the prohibitions in Section 1511(a)(6) of Public Law 103-160 is necessary to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties, and I hereby waive the application of this prohibition with respect to the suspension of the application of duty-free treatment accorded to articles of Serbia and Montenegro under the Generalized System of Preferences.

This Determination shall be published in the **Federal Register**, and copies shall be provided to the appropriate committees of the Congress.

Dated: February 20, 2004.

**Richard L. Armitage,**

*Deputy Secretary of State, Department of State.*

[FR Doc. 04-6820 Filed 3-25-04; 8:45 am]

**BILLING CODE 4710-23-P**

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **Technical Corrections to the Harmonized Tariff Schedule of the United States**

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

**ACTION:** Notice.

**SUMMARY:** The United States Trade Representative (USTR) is making technical corrections to the Harmonized Tariff Schedule of the United States (HTS) as set forth in the Annex to this notice, pursuant to authority delegated to the USTR in Presidential Proclamation 6969 of January 27, 1997 (62 FR 4415). These modifications correct one inadvertent omission in Presidential Proclamation 6763 of December 23, 1994 (60 FR 1007), two inadvertent errors in Presidential Proclamation 7351 of October 2, 2000

(65 FR 59329), and one inadvertent error in provisions added to the HTS pursuant to Proclamation 7529 of March 5, 2002 (67 FR 10553) and Proclamation 7576 of July 3, 2002 (67 FR 45285) so that the intended tariff treatment is provided.

**EFFECTIVE DATE:** As indicated in the Annex.

**FOR FURTHER INFORMATION CONTACT:** Jean Kemp, Office of the U.S. Trade Representative, (202) 395-6160.

**SUPPLEMENTARY INFORMATION:**

Proclamation 7351 implemented the United States-Caribbean Basin Trade Partnership Act (CBTPA). Section 211 of the CBTPA provides that eligible textile and apparel articles of a designated CBTPA beneficiary country shall enter the United States free of duty and free of quantitative limitations. The annex to Proclamation 7351 made modifications to the HTS in order to implement the tariff treatment provided under the CBTPA. The Annex to this notice modifies the annex to Proclamation 7351 to correct two inadvertent errors so that the intended tariff treatment is provided. Proclamation 6763 implemented the trade agreements resulting from the Uruguay Round of multilateral trade negotiations. The annex to Proclamation 6763 made modifications to the HTS in order to implement the tariff treatment provided under the Uruguay Round Agreements, including the tariff treatment provided to pharmaceutical products (see annex to Proclamation 6763 at section 1, paragraph 13). The Annex to this notice modifies the annex to Proclamation 7351 to correct one inadvertent omission so that the intended tariff treatment is provided. On March 5, 2002, Proclamation 7529 established increases in duty and a tariff-rate quota (safeguard measures) pursuant to section 203 of the Trade Act of 1974 (19 U.S.C. 2253) (Trade Act) on imports of certain steel products described in paragraph 7 of that proclamation. Effective with respect to goods entered,

or withdrawn from warehouse for consumption, on or after 12:01 a.m., e.s.t., on March 20, 2002, the annex to Proclamation 7529 modified subchapter III of chapter 99 of the HTS so as to provide for such increased duties and a tariff-rate quota. Pursuant to Proclamation 7529 and Proclamation 7576 of July 3, 2002, the USTR subsequently found that particular products should be excluded from the actions under section 203 of the Trade Act. On August 30, 2002, the USTR modified the provisions that were added to subchapter III of chapter 99 of the HTS by Proclamation 7529 to implement those exclusions. 67 FR 56182. On November 14, 2002, the USTR made technical corrections to subchapter III of chapter 99 of the HTS. 67 FR 69065. The Annex to this notice modifies the provisions of subchapter III of chapter 99 of the HTS that were added pursuant to Proclamations 7529 and 7576 to correct an inadvertent error so that the intended tariff treatment is provided.

Proclamation 6969 authorized the USTR to exercise the authority provided to the President under section 604 of the Trade Act of 1974 (19 U.S.C. 2483) to embody rectifications, technical or conforming changes, or similar modifications in the HTS. Under the authority vested in the USTR by proclamation 6969, the rectifications, technical and conforming changes, and similar modifications set forth in the Annex to this notice shall be embodied in the HTS with respect to goods entered, or withdrawn from warehouse for consumption, on or after the dates indicated in the Annex.

**Robert B. Zoellick,**  
*United States Trade Representative.*

**Annex**

The Harmonized Tariff Schedule of the United States is hereby modified as set forth herein:

(1) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2004, general note 3(f)(i) is modified by deleting

“subparagraph (b)” and by inserting in lieu thereof subdivision (f)(ii)”.

(2) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2004, general note 4(d) is modified by deleting the following subheadings and the country or countries set out opposite each such subheading:

- 2902.11.00 Argentina; India
- 2902.60.00 India
- 2902.90.40 India
- 2902.90.60 India
- 2905.59.30 India
- 4802.55.10 Argentina
- 4802.56.10 Argentina
- 4802.56.60 Colombia
- 4802.57.10 Argentina
- 4809.10.20 Guatemala
- 4816.20.00 Indonesia
- 4823.20.10 Brazil
- 5701.10.13 Pakistan
- 5702.10.10 Pakistan
- 5702.20.10 India
- 5702.91.20 Pakistan
- 5805.00.20 Pakistan
- 5904.90.90 Guatemala; India
- 7308.90.70 Venezuela
- 7308.90.95 Argentina

(3) Effective with respect to goods of Singapore under the terms of general note 25 that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2004, TCR 62.1 of general note 25(o) is modified by inserting after “5516” the expression “, 5801 through 5802”.

(4) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 10, 2002, chapter 29 of the HTS is modified—

(A) by deleting subheading 2932.99.80 and by inserting in the article description of subheading 2912.29.30 in alphabetical sequence the expression “Paraldehyde, USP grade”; and

(B) by deleting from the article description of subheading 2933.99.13 the product “3-Quinuclidinol” and by redesignating such subheading as 2933.99.12, and by inserting in numerical sequence the following new provision, with the language inserted in the columns entitled “Heading/Subheading”, “Article Description”, “Rates of Duty 1-General”, “Rates of Duty 1-Special” and “Rates of Duty 2” and with the article description at the same level of indentation as that of subheading 2933.99.12 (as redesignated herein):

“2933.39.15 .....	:	Quinuclidin-3-ol .....	:	5.8%	:	Free	:	15.4¢/kg+
	:		:		:	(A+,CA,CL,D,E,IL,JO,K,MX).	:	
	:		:		:		:	39.5%”
	:		:		:	4.3% (SG) .....	:	

The rate of duty in the special subcolumn followed by the symbol “SG” in parentheses for subheadings 2933.99.12 (as redesignated herein) and 2933.99.15 shall be subject to all staged reductions previously proclaimed by the President for subheading 2933.99.13.

(5) U.S. note 11 to subchapter III of chapter 99 is modified as follows:

(A) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after September 1, 2002, and before the close of November 13, 2002, subdivision (c)(cxcvi) of such note is modified by deleting the language “austenitic, ferritic or martensitic crystalline structure as applicable, and containing oxides of lime silicoaluminate that form the

CaO-Al<sub>2</sub>O<sub>3</sub>-SiO<sub>2</sub> ternary composition primarily comprising anorthite and/or pseudowollastonite phases; with calcium content between 30 and 100 ppm and oxygen content between 70 and 200 ppm; products referred to as ‘UGIMA’” and by inserting the following language in lieu thereof: “microstructure containing complex oxides of lime-silico-aluminate (comprising

metallurgical phases anorthite and/or pseudowollastonite); with calcium content from 30 to 300 ppm and oxygen from 70 to 300 ppm, and with calcium-to-oxygen ratio from 0.2 to 0.6; sometimes referred to as (but not limited to) products known as 'UGIMA'.

(B) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after September 1, 2002, such subdivision (c)(cxcvi) is further modified by deleting the language "5,000 t during the 12-month period beginning on September 1, 2002 or September 1, 2003 or during the period from September 1, 2004 through March 20, 2005," and by inserting in lieu thereof the language "5,590 t during the 12-month period beginning on September 1, 2002, and not to exceed 5,000 t during the period beginning on September 1, 2003 through December 5, 2003."

(6) Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2004:

(A) U.S. note 12(b) to subchapter XI to chapter 99 is modified by deleting the following:

Beginning in calendar year 2015, quantitative limitations on the aggregate quantity of goods of Chile's trade surplus entered under subheading 9911.17.05 shall cease to apply on such originating goods of Chile.

and by inserting the following in lieu thereof: Beginning in calendar year 2015, the aggregate quantity of originating goods of Chile entered under heading 9911.17.05 in any calendar year shall be the quantity of goods equal to the amount of Chile's trade surplus in subdivision (a) of this note.

(B) The article description of subheading 9911.96.26 is modified by deleting "\$2.025¢/kg" and inserting "\$2.025/kg" in lieu thereof.

(C) The article description of subheading 9911.96.44 is modified by deleting "\$1.341¢/kg" and inserting "\$1.341/kg" in lieu thereof.

(D) The article description of subheading 9911.96.63 is modified by deleting "\$1.236kg" and inserting "\$1.236/kg" in lieu thereof.

(E) The article description of subheading 9911.96.68 is modified by deleting "93.6¢/kg" and inserting "93.6¢/kg" in lieu thereof.

(F) The article description of subheading 9911.96.73 is modified by deleting "84.6¢/kg" and inserting "84.6¢/kg" in lieu thereof.

(G) The article description of subheading 9911.97.24 is modified by deleting "\$2.214¢/kg" and inserting "\$2.214/kg" in lieu thereof.

[FR Doc. 04-6782 Filed 3-25-04; 8:45 am]

BILLING CODE 3190-W3-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending March 12, 2004

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2004-17290.

*Date Filed:* March 10, 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 363, PTC2 AFR 0145 dated 09 March 2004, TC2 Within Africa Resolution 002e r1, Intended effective date: 01 April 2004.

*Docket Number:* OST-2004-17291.

*Date Filed:* March 10, 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 364, PTC2 AFR 0146 dated 09 March 2004, PTC2 Within Africa Resolutions r1-r23, Intended effective date: 01 May 2004.

*Docket Number:* OST-2004-17340.

*Date Filed:* March 12, 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 365, PTC23 EUR-SASC 0125 dated 16 March 2004, TC23 Special Passenger Amending Resolution from Pakistan to Europe r1-r2, Intended effective date: 01 April 2004.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 04-6859 Filed 3-25-04; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending March 12, 2004

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under subpart B (formerly subpart Q) of the Department of Transportation's Procedural Regulations (*See* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2004-17264.

*Date Filed:* March 8, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 29, 2004.

*Description:* Application of JetBlue Airways Corporation, requesting a certificate of public convenience and

necessity to engage in foreign scheduled air transportation of persons, property and mail from the United States to the Bahamas, Bermuda, Canada, the Dominican Republic and Jamaica.

*Docket Number:* OST-2004-17311.

*Date Filed:* March 10, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 31, 2004.

*Description:* Application of Omega Air Holdings, LLC, d/b/a Omega Air Cargo, requesting a certificate of public convenience and necessity to engage in interstate scheduled and charter all-cargo operations.

*Docket Number:* OST-2004-17312.

*Date Filed:* March 10, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 31, 2004.

*Description:* Application of Omega Air Holdings, LLC, d/b/a Omega Air Cargo, requesting a certificate of public convenience and necessity to engage in foreign charter all-cargo operations.

*Docket Number:* OST-2004-17315.

*Date Filed:* March 10, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 31, 2004.

*Description:* Application of Cargojet Airways Ltd. d/b/a Starjet Airways, requesting a foreign air carrier permit to engage in charter and scheduled foreign air transportation of persons, property, and mail between any point or points in Canada and any point or points in the United States, and other charter foreign air transportation.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 04-6860 Filed 3-25-04; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2004-21]

#### Petitions for Exemption; Dispositions of Petitions Issued

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

**ACTION:** Notice of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain dispositions of certain petitions previously received. The purpose of this