

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

### 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 Number SR-NSCC-2005-13 on the subject line.

#### *Paper Comments*

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

All submissions should refer to File Number SR-NSCC-2005-13. 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 NSCC and on NSCC's Web site at <http://www.nsccl.com/legal>. 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 Number SR-NSCC-2005-13 and should be submitted on or before November 1, 2005.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. E5-5564 Filed 10-7-05; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### [Public Notice 5203]

#### **In the Matter of the Designation of the Moroccan Islamic Combatant Group, aka Groupe Islamique Combattant Marocain (GICM), as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act**

Based upon a review of the Administrative Record assembled in this matter, and in consultation with the Attorney General and the Secretary of the Treasury, the Secretary of State has concluded that there is a sufficient factual basis to find that the relevant circumstances described in section 219 of the Immigration and Nationality Act, as amended (8 U.S.C. 1189, hereinafter "INA"), exist with respect to the Moroccan Islamic Combatant Group, aka Groupe Islamique Combattant Marocain (GICM).

Therefore, effective upon date of publication in the **Federal Register**, the Secretary of State hereby designates that organization as a foreign terrorist organization pursuant to section 219(a) of the INA.

Dated: October 3, 2005.

**Henry A. Crumpton,**

*Coordinator for Counterterrorism,  
Department of State.*

[FR Doc. 05-20341 Filed 10-7-05; 5:00 pm]

**BILLING CODE 4710-10-P**

<sup>7</sup> CFR 200.30-3(a)(12).

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### **Applications of Maxjet Airways, Inc. for Certificate Authority**

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2005-9-26) [Docket OST-2004-17171].

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding MAXjet Airways, Inc., fit, willing, and able, and awarding it a certificate of public convenience and necessity to engage in interstate scheduled air transportation of persons, property and mail.

**DATES:** Persons wishing to file objections should do so no later than October 14, 2005.

**ADDRESSES:** Objections and answers to objections should be filed in Dockets OST-2004-17171 and addressed to U.S. Department of Transportation, Docket Operations, (M-30, Room PL-401), 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

#### **FOR FURTHER INFORMATION CONTACT:**

Vanessa R. Balgobin, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-9721.

Dated: September 30, 2005.

**William. Bertram,**

*Chief, Air Carrier Fitness Division.*

[FR Doc. 05-20332 Filed 10-7-05; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### **Privacy Act of 1974: System of Records**

**AGENCY:** Office of the Secretary, Department of Transportation (DOT)

**ACTION:** Notice to modify a system of records.

**SUMMARY:** DOT proposes to modify an existing system of records under the Privacy Act of 1974.

**EFFECTIVE DATE:** This notice will be effective, without further notice, on November 21, 2005, unless modified by a subsequent notice to incorporate comments received by the public. Comments must be received by November 10, 2005 to be assured consideration.