

Topics for discussion include findings on two congressionally mandated studies: home health margins, and payments for oncology drugs and administration services in the Medicare system. The Commission will also discuss issues related to the Medicare wage index, outpatient therapy, valuing services in the physician fee schedule, and physician resource use. The Commission will also host a panel on quality measures in managed care organizations.

Agendas will be e-mailed approximately one week prior to the meeting. The final agenda will be available on the Commission's Web site (<http://www.medpac.gov>).

This will be the last notice placed in the **Federal Register** by the Commission. We will continue to e-mail meeting agendas, which you can sign up to receive at <http://www.medpac.gov>. They will also be posted on our Web site. In addition, we will now e-mail a meeting notice two weeks prior to the meeting date. If you have any comments on this action, please contact Annissa McDonald at [amcdonald@medpac.gov](mailto:amcdonald@medpac.gov) or (202) 220-3700.

**ADDRESSES:** MedPAC's address is: 601 New Jersey Avenue, NW., Suite 9000, Washington, DC 20001. The telephone number is (202) 220-3700.

**Mark E. Miller,**

*Executive Director.*

[FR Doc. 05-17567 Filed 9-2-05; 8:45 am]

**BILLING CODE 6820-BW-M**

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## OVERSEAS PRIVATE INVESTMENT CORPORATION

### September 8, 2005 Public Hearing

OPIC's Sunshine Act notice of its Public Hearing in Conjunction with each Board meeting was published in the **Federal Register** (Volume 70, Number 158, Page 48446) on August 17, 2005. No requests were received to provide testimony or submit written statements for the record; therefore, OPIC's public hearing in conjunction with OPIC's September 15, 2005 Board of Directors meeting scheduled for 2 p.m. on September 8, 2005 has been cancelled.

*Contact Person For Information:* Information on the hearing cancellation may be obtained from Connie M. Downs at (202) 336-8438, via facsimile at (202) 218-0136, or via e-mail at [cdown@opic.gov](mailto:cdown@opic.gov).

Dated: September 1, 2005.

**Connie M. Downs,**

*OPIC Corporate Secretary.*

[FR Doc. 05-17723 Filed 9-1-05; 2:13 pm]

**BILLING CODE 3210-01-M**

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## OVERSEAS PRIVATE INVESTMENT CORPORATION

### September 15, 2005 Board of Directors Meeting

*Time And Date:* Thursday, September 15, 2005, 10 a.m. (Open Portion) 10:15 a.m. (Closed Portion).

*Place:* Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC.

*Status:* Meeting Open to the Public from 10 a.m. to 10:15 a.m. Closed portion will commence at 10:15 a.m. (approx.).

*Matters To Be Considered:*

1. President's Report.
2. Approval of July 28, 2005 Minutes (Open Portion).

*Further Matters To Be Considered:* (Closed to the Public 10:15 a.m.)

1. Proposed FY2007 Budget.
2. Finance Project—Russia.
3. Finance Project—Asia.
4. Finance Project—Eastern Europe and Turkey.
5. Finance Project—Mexico.
6. Approval of July 28, 2005 Minutes (Closed Portion).
7. Pending Major Projects.
8. Reports.

*Contact Person For Information:*

Information on the meeting may be obtained from Connie M. Downs at (202) 336-8438.

Dated: September 1, 2005.

**Connie M. Downs,**

*Corporate Secretary, Overseas Private Investment Corporation.*

[FR Doc. 05-17724 Filed 9-1-05; 2:13 pm]

**BILLING CODE 3210-01-M**

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## OFFICE OF SCIENCE AND TECHNOLOGY POLICY

### Meeting of the President's Council of Advisors on Science and Technology

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the schedule and summary agenda for a meeting of the President's Council of Advisors on Science and Technology (PCAST), and describes the functions of the Council. Notice of this meeting is required under the Federal Advisory Committee Act (FACA).

*Dates and Place:* September 20, 2005, Washington, DC. The meeting will be

held in Room 100 of the National Academies Keck Center located at 500 Fifth Street, NW., Washington, DC 20001.

*Type of Meeting:* Open. Further details on the meeting agenda will be posted on the PCAST Web site at: <http://www.ostp.gov/PCAST/pcast.html>.

*Proposed Schedule and Agenda:* The President's Council of Advisors on Science and Technology is scheduled to meet in open session on Tuesday, September 20, 2005, at approximately 9 a.m. The PCAST is tentatively scheduled to hear presentations on research and commercialization activities in the areas of pharmacogenomics (or personalized medicine) and alternative energy. These are both areas in which PCAST may undertake studies regarding the Federal role in research and development and the barriers and possible implications surrounding widespread adoption. A review and update of other PCAST topics (e.g., nanotechnology) is also tentatively scheduled to occur. This session will end at approximately 5 p.m. Additional information on the agenda will be posted at the PCAST Web site at: <http://www.ostp.gov/PCAST/pcast.html>.

*Public Comments:* There will be time allocated for the public to speak on the above agenda items. This public comment time is designed for substantive commentary on PCAST's work topics, not for business marketing purposes. Please submit a request for the opportunity to make a public comment five (5) days in advance of the meeting. The time for public comments will be limited to no more than 5 minutes per person. Written comments are also welcome at any time following the meeting. Please notify Celia Merzbacher, PCAST Executive Director, at (202) 456-7116, or fax your request/comments to (202) 456-6021.

**FOR FURTHER INFORMATION CONTACT:** For information regarding time, place and agenda, please call Celia Merzbacher at (202) 456-7116, prior to 3 p.m. on Friday, September 16, 2005. Information will also be available at the PCAST Web site at: <http://www.ostp.gov/PCAST/pcast.html>. Please note that public seating for this meeting is limited and is available on a first-come, first-served basis.

**SUPPLEMENTARY INFORMATION:** The President's Council of Advisors on Science and Technology was established by Executive Order 13226, on September 30, 2001. The purpose of PCAST is to advise the President on matters of science and technology policy, and to assist the President's National Science and Technology

Council in securing private sector participation in its activities. The Council members are distinguished individuals appointed by the President from non-Federal sectors. The PCAST is co-chaired by Dr. John H. Marburger, III, the Director of the Office of Science and Technology Policy, and by E. Floyd Kvamme, a Partner at Kleiner Perkins Caufield & Byers.

**Stanley S. Sokul,**

*General Counsel, Office of Science and Technology Policy.*

[FR Doc. 05-17595 Filed 9-2-05; 8:45 am]

**BILLING CODE 3170-W4-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-52350; File No. 4-429]

### Joint Industry Plan; Order Approving Amendment No. 17 to the Plan for the Purpose of Creating and Operating an Intermarket Option Linkage Regarding Modifying the 80/20 Test for Determining Limitations on Principal Order Access to Linkage

August 26, 2005.

#### I. Introduction

On April 20, 2005, May 20, 2005, May 12, 2005, April 13, 2005, April 27, 2005 and May 11, 2005, the American Stock Exchange LLC ("Amex"), the Boston Stock Exchange, Inc. ("BSE"), the Chicago Board Options Exchange, Incorporated ("CBOE"), the International Securities Exchange ("ISE"), the Pacific Exchange, Inc. ("PCX"), and the Philadelphia Stock Exchange, Inc. ("Phlx") (collectively, "Participants"), respectively, filed with the Securities and Exchange Commission ("Commission") Joint Amendment No. 17 to the Plan for the Purpose of Creating and Operating an Intermarket Option Linkage ("Linkage Plan").<sup>1</sup> In Joint Amendment No. 17, the Participants propose to modify the 80/20 Test to determine limitations on Principal Order<sup>2</sup> access to Linkage.<sup>3</sup>

<sup>1</sup> On July 28, 2000, the Commission approved a national market system plan for the purpose of creating and operating an intermarket options market linkage ("Linkage") proposed by Amex, CBOE, and ISE. See Securities Exchange Act Release No. 43086 (July 28, 2000), 65 FR 48023 (August 4, 2000). Subsequently, Phlx, PCX, and BSE joined the Linkage Plan. See Securities Exchange Act Release Nos. 43573 (November 16, 2000), 65 FR 70851 (November 28, 2000); 43574 (November 16, 2000), 65 FR 70850 (November 28, 2000); and 49198 (February 5, 2004), 69 FR 7029 (February 12, 2004).

<sup>2</sup> A "Principal Order" is an order for the principal account of an eligible market maker that does not relate to a customer order the market maker is holding. See Section 2(16)(b) of the Linkage Plan.

<sup>3</sup> Specified in Section 8(b)(iii) of the Linkage Plan.

The proposed amendment to the Linkage Plan was published in the **Federal Register** on July 27, 2005.<sup>4</sup> No comments were received on the proposed amendment. This order approves the proposed amendment to the Linkage Plan.

#### II. Description and Purpose of the Proposed Amendment

The purpose of the Joint Amendment is to modify the 80/20 Test contained in Section 8(b)(iii) of the Linkage Plan, which provides that market makers should send Principal Orders through the Linkage on a limited basis and not as a primary aspect of their business. The 80/20 Test implements this general principle by prohibiting a market maker from sending Principal Orders in an eligible option class if, in the last calendar quarter, the market maker's Principal Order contract volume is disproportionate to the market maker's contract volume executed against customer orders in its own market.

The Participants have expressed concern that the application of the 80/20 Test has resulted in anomalies for market makers with limited volume in an eligible option class. Specifically, if a market maker has very little overall trading volume in an option, the execution of one or two Principal Orders during a calendar quarter could result in the market maker failing to meet the 80/20 Test. This would bar the market maker from using the Linkage to send Principal Orders for the following calendar quarter. The Participants contend that it was not their intent to bar market makers with limited volume from sending Principal Orders through the Linkage in these circumstances since such trading clearly was not "a primary aspect of their business." Thus, in Joint Amendment No. 17, the Participants propose to create a *de minimis* exemption from the 80/20 Test for market makers that have total contract volume of less than 1,000 contracts in an options class for a calendar quarter.

#### III. Discussion

After careful consideration, the Commission finds that the proposed amendment to the Linkage Plan seeking to create a *de minimis* exception to the 80/20 Test is consistent with the requirements of the Act and the rules and regulations thereunder. Specifically, the Commission finds that the proposed amendment to the Linkage Plan is consistent with Section 11A of

the Act<sup>10</sup> and Rule 11Aa3-2 thereunder,<sup>11</sup> in that it will increase the availability of Linkage to members of the Participants by limiting the applicability of the 80/20 Test in situations where market makers have minimal trading volume in a particular options class.

The Commission recognizes that the Participants do not believe that it is necessary to bar market makers with limited volume from sending Principal Orders through the Linkage, as such trading does not raise concerns that a member is sending such orders as "a primary aspect of their business." The Commission believes that the *de minimis* exemption from the 80/20 Test proposed by the Participants for market makers that have total contract volume of less than 1,000 contracts in an options class for a calendar quarter should ensure that market makers with relatively low volume in a particular options class can send a reasonable number of Principal Orders without being barred by application of the 80/20 Test from using the Linkage in the following calendar quarter.

#### IV. Conclusion

*It is therefore ordered*, pursuant to Section 11A of the Act<sup>12</sup> and Rule 11Aa3-2 thereunder,<sup>13</sup> that the proposed Joint Amendment No. 17 is hereby approved.

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

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E5-4835 Filed 9-2-05; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of September 5, 2005:

A Closed Meeting will be held on Wednesday, September 7, 2005 at 10 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain

<sup>10</sup> 15 U.S.C. 78k-1.

<sup>11</sup> 17 CFR 240.11Aa3-2.

<sup>12</sup> 15 U.S.C. 78k-1.

<sup>13</sup> 17 CFR 240.11Aa3-2.

<sup>14</sup> 17 CFR 200.30-3(a)(29).

<sup>4</sup> See Securities Exchange Act Release No. 52074 (July 20, 2005), 70 FR 43469.