

information with respect to, and facilitating transactions in securities; to remove impediments to and perfect the mechanism of a free and open market and a national market system; and, in general, to protect investors and the public interest; and is not designed to permit unfair discrimination between customers, issuers, brokers or dealers for the reasons set forth below.

Specifically, the Exchange believes that the proposed elimination of the security requirement for certain member organizations under Exchange Rule 23(i)(i) should enhance the attractiveness of ETPs to those organizations. The language proposed to be added to Exchange Rule 23(i) in proposed subsection (iv) would provide, with respect to such member organizations, that the proceeds of any transfer of a membership by a member organization may be applied by the Exchange to satisfy any claims of the Exchange, SCCP or other member firms of the Exchange as described in Exchange By-Law 15–3 against the member organization's ETP holders. In view of the availability of membership proceeds, the Exchange believes that it is fair and appropriate not to require such member organizations to provide the same security under Exchange Rule 23(i) as required by ETP organizations without a membership subject to Exchange By-Law 15–3.

In addition, the Exchange believes that the proposed amendment to Exchange Rule 50 to enable the Exchange to terminate an ETP 14 days following suspension, and thus allowing it to reissue the ETP to another applicant who may use it to trade would enhance liquidity on the Exchange. By permitting the Exchange to terminate ETPs 14 days following suspension, the Exchange believes that this amendment should enable it to offer more competitive markets than would be possible if ETPs were permitted to remain in a state of suspension, without trading activity, for a lengthier period of time.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were solicited or received with respect to the proposed rule change.

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

The foregoing rule change, as amended, has become effective pursuant to Section 19(b)(3)(A) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4¹⁰ thereunder because it does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate; and the Exchange has given the Commission written notice of its intention to file the proposed rule change at least five business days prior to filing. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.¹¹ Lastly, the Commission notes that the Exchange has requested that the Commission waive the 30-day operative date.¹²

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. 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 at the Commission's Public Reference Room. Copies of such filing will also be

⁹ 15 U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4(f)(6).

¹¹ For purposes of calculating the 60-day abrogation date, the Commission considers the 60-day period to have commenced on April 2, 2002, the date the Exchange filed Amendment No. 2.

¹² See Amendment No. 1, *supra* note 3. Because the Commission staff sought clarifications, which the Phlx gave on May 24, 2002, *see supra* note 6, the Commission notes that it has been more than 30 days from when the Exchange submitted this filing and its publication in the **Federal Register**. Thus, the 30-day operative date has passed.

available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Phlx-2002-13 and should be submitted by June 27, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹³

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02-14140 Filed 6-5-02; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF STATE

[Public Notice 4033]

Culturally Significant Objects Imported for Exhibition Determinations: "Connecting Museums"

AGENCY: Department of State.

ACTION: Notice.

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 [64 FR 56014], and Delegation of Authority No. 236 of October 19, 1999 [64 FR 57920], as amended, I hereby determine that the objects to be included in the exhibition, "Connecting Museums," imported from abroad for temporary exhibition within the United States, are of cultural significance. These objects are imported pursuant to loan agreements with foreign lenders. I also determine that the exhibition or display of the exhibit objects at the Guggenheim Museum, New York, New York, from on or about June 15, 2002, to on or about November 10, 2002, 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 exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, 202/619–5997, and the address is United States Department of State, SA–44, Room 700, 301 4th Street, SW., Washington, DC 20547–0001.

¹³ 17 CFR 200.30-3(a)(12).

Dated: May 30, 2002.

Patricia S. Harrison,

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

[FR Doc. 02-14206 Filed 6-5-02; 8:45 am]

BILLING CODE 4710-08-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 May 24, 2002

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-2002-12355.

Date Filed: May 21, 2002.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 11, 2002.

Description: Application of AeroSvit Airlines, pursuant to 49 U.S.C. 41302, Part 211, and Subpart B, requesting a foreign air carrier permit to engage in scheduled and Charter combination service between Ukraine and the United States.

Docket Number: OST-2002-12358.

Date Filed: May 21, 2002.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 11, 2002.

Description: Application of M & N Aviation, Inc., pursuant to 49 U.S.C. 41738 and Subpart B, requesting authority to engage in scheduled passenger service as a commuter air carrier.

Docket Number: OST-2002-12370.

Date Filed: May 22, 2002.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 12, 2002.

Description: Application of Air Japan Co., Ltd. (AJX), pursuant to 49 U.S.C. 41301, *et seq.*, 14 CFR part 211, and subpart B, requesting a foreign air carrier permit to engage in scheduled

foreign air transportation of persons, property, and mail between any point or points in Japan and any point or points in the United States and charter authority, consistent with AJX's existing exemption authority.

Dorothy Y. Beard,

Federal Register Liaison.

[FR Doc. 02-14224 Filed 6-5-02; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. OST-2002-11996]

Draft Report Implementing OMB's Information Dissemination Quality Guidelines

AGENCY: Office of the Secretary, DOT.

ACTION: Extension of public comment period.

SUMMARY: On January 3, 2002, the Office of Management and Budget (OMB) issued Government-wide guidelines under Section 515 that direct each Federal agency to establish and implement written procedures to ensure and maximize the quality, utility, objectivity and integrity of the information that they disseminate. On April 24, 2002, the Department of Transportation (DOT) posted its proposed Departmental guidelines to implement Section 515 of the Treasury and General Government Appropriations Act for FY 2001 (PL 106-554) on its Web site for public comments. On April 30, 2002, the Department published a notice of availability of its draft guidelines in the **Federal Register**. Today's notice extends the public comment period for this proposal.

DATES: Comments should be submitted by June 17, 2002.

ADDRESSES: You may file comments using the Internet by logging in on DOT'S Dockets Management System (DMS) Web site at <http://dms.dot.gov>. Please follow the online instructions for submitting an electronic comment and for reviewing all comments on line. Once received, a notification receipt will be forwarded to you. You may fax your comments to the DMS at (202) 493-2251. You may also submit your comments by mail or in person by sending your comments to the U. S. Department of Transportation (DOT), Office of Dockets and Media Management to the Docket Clerk, Docket No. OST-2002-11996, 400 Seventh Street, SW., Room PL-401, Washington, DC 20590-0001. If you would like the

Department to acknowledge receipt of your written comments, you must include a self-addressed stamped postcard on which the following statement is made: "Comments on Docket OST-2002-11996." The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Comments should identify the docket number. Written comments should be submitted in duplicate. The Office of Dockets and Media Management is open for examination and copying at the above address from 9:00 a.m. to 5 p.m., Monday through Friday, except Federal holidays. All comments received will be available for inspection at the above address. Please note that due to current mail security procedures affecting U.S. Postal Service delivery to Government offices, commenters may find it advantageous to use an alternative method (the internet, fax, or professional delivery service) to submit comments to the Docket and ensure their timely receipt at the U.S. Department of Transportation.

FOR FURTHER INFORMATION CONTACT:

Vanester M. Williams, Office of the Chief Information Officer, U. S. Department of Transportation; 202-366-1771 (not a toll-free call) or by e-mail at vanester.Williams@ost.dot.gov. For specific inquiries on the Department's administrative mechanisms for allowing persons to seek correction of information, please contact Robert Ashby, Office of the General Counsel, U. S. Department of Transportation; 202-366-9310 (not a toll-free call) or by e-mail at bob.ashby@ost.dot.gov. For specific inquiries on the Department's statistical guidelines, please contact Dr. Patrick Flanagan, Bureau of Transportation Statistics, U. S. Department of Transportation; 202-366-4168 (not a toll-free call) or by e-mail at pat.flanagan@bts.dot.gov.

SUPPLEMENTARY INFORMATION: The Department's information quality guidelines will apply to a wide variety of its information dissemination activities in order to meet basic information quality standards set forth by Section 515. The purpose of these guidelines is to provide a framework under which the Department will allow affected persons an opportunity to seek and obtain correction of information maintained and disseminated by the Department that does not comply with these guidelines.

The Department received a request from a commenter to extend the comment period for this proposal an additional 60 days, through the end of July. In order to meet the August 1, 2002 deadline for submission of draft final