

Commission of any written comments received by OCC.

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. 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 in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of OCC. All submissions should refer to File No. SR-OCC-2002-12 and should be submitted by September 3, 2002.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁴

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 02-20405 Filed 8-12-02; 8:45 am]

BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3428, Amdt. 4]

State of Texas; Corrected Copy

In accordance with a notice received from the Federal Emergency Management Agency, dated July 17, 2002, the above numbered declaration is hereby amended to include Callahan, Live Oak, San Patricio and Zavala Counties in the State of Texas as disaster areas due to damages caused by severe storms and flooding occurring on June 29, 2002 and continuing.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the previously designated location: Aransas County in Texas. All contiguous counties have been previously declared.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is September 2, 2002, and for economic injury the deadline is April 4, 2003.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: August 7, 2002.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 02-20461 Filed 8-12-02; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice 4095]

Culturally Significant Objects Imported for Exhibition Determinations: "Modigliani and the Artists of Montparnasse"

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, "Modigliani and the Artists of Montparnasse," 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 Albright-Knox Art Gallery, Buffalo, New York, from on or about October 19, 2002, to on or about January 12, 2003, the Kimbell Art Museum, Fort Worth, Texas, from on or about February 9, 2003, to on or about May 25, 2003, the Los Angeles County Museum of Art, from on or about June 29, 2003, to on or about September 28, 2003, 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.

Dated: August 6, 2002.

Patricia S. Harrison,

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

[FR Doc. 02-20474 Filed 8-12-02; 8:45 am]

BILLING CODE 4710-08-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-248]

WTO Dispute Settlement Proceeding Regarding United States—Safeguard Measures on Certain Steel Products

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative ("USTR") is providing notice that on June 3, 2002, a dispute settlement panel was established at the request of the European Communities ("EC") under the Marrakesh Agreement Establishing the World Trade Organization ("WTO") to examine safeguard measures imposed on certain steel products pursuant to section 203 of the Trade Act of 1974 (19 U.S.C. 2253) ("safeguard measures") and established in Presidential Proclamation 7529 of March 5, 2002 (67 FR 10553 (Mar. 7, 2002)). Panels were also established at the request of Brazil, China, Japan, Korea, New Zealand, Norway, and Switzerland to examine these safeguard measures. Pursuant to an agreement with these countries (the "complaining parties"), one panel will examine all of these disputes. The

⁴ 17 CFR 200.30-3(a)(12).

complaining parties allege that the safeguard measures are inconsistent with the obligations of the United States under the General Agreement on Tariffs and Trade 1994 ("GATT 1994") and the WTO Agreement on Safeguards ("SA"). USTR invites written comment from the public concerning the issues raised in this dispute. Canada, Chinese Taipei, Cuba, Malaysia, Mexico, Thailand, Turkey, and Venezuela have notified the WTO of their intention to participate as third parties.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before September 12, 2002, to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to *FR0025@ustr.gov*, Attn: "Steel Safeguard Measures Dispute" in the subject line, or (ii) by mail, to Sandy McKinzy, Monitoring and Enforcement Unit, Office of the General Counsel, Room 122, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, Attn: Steel Safeguard Measures Dispute, with a confirmation copy sent electronically or by fax to 202-395-3640.

FOR FURTHER INFORMATION CONTACT: Willis S. Martyn, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC, (202) 395-3582.

SUPPLEMENTARY INFORMATION: Pursuant to Section 127(b) of the Uruguay Round Agreements Act ("URAA") (19 U.S.C. 3537(b)(1)), USTR is providing notice that on June 3, 2002, a WTO dispute settlement panel was established at the request of the EC. Panels were also established at the request of Brazil, China, Japan, Korea, New Zealand, Norway, and Switzerland to examine these safeguard measures. Pursuant to an agreement with these countries (the "complaining parties"), one panel will examine all of these disputes. The Panel, which would hold its meetings in Geneva, Switzerland, is expected to issue a report on its findings and recommendations within six to nine months after its establishment.

Major Issues Raised and Legal Basis of the Complaint

The complaining parties allege that the safeguard measures are inconsistent with certain obligations of the United States under GATT 1994 and the SA. The safeguard measures consist of additional tariffs and a tariff-rate quota on the following steel products:

(a) Certain flat steel, consisting of slabs provided for in the superior text to subheadings 9903.72.30 through 9903.72.48 of the Harmonized Tariff Schedule of the United States ("HTS"); plate provided for in the superior text to subheadings 9903.72.50 through 9903.72.60 of the HTS; hot-rolled steel provided for in the superior text to subheadings 9903.72.62 through 9903.72.77 of the HTS; cold-rolled steel provided for in the superior text to subheadings 9903.72.80 through 9903.72.98 of the HTS; and coated steel provided for in the superior text to subheadings 9903.72.99 through 9903.73.14 of the HTS;

(b) Certain hot-rolled bar provided for in the superior text to subheadings 9903.73.28 through 9903.73.38 of the HTS;

(c) Certain cold-finished bar provided for in the superior text to subheadings 9903.73.39 through 9903.73.44 of the HTS;

(d) Certain rebar provided for in the superior text to subheadings 9903.73.45 through 9903.73.50 of the HTS;

(e) Certain tubular products provided for in the superior text to subheadings 9903.73.51 through 9903.73.62 of the HTS;

(f) Certain carbon and alloy fittings provided for in the superior text to subheadings 9903.73.66 through 9903.73.72 of the HTS;

(g) Certain stainless steel bar provided for in the superior text to subheadings 9903.73.74 through 9903.73.81 of the HTS;

(h) Certain stainless steel rod provided for in the superior text to subheadings 9903.73.83 through 9903.73.89 of the HTS;

(i) certain tin mill products provided for in the superior text to subheadings 9903.73.15 through 9903.73.27 of the HTS; and

(j) Certain stainless steel wire provided for in the superior text to subheadings 9903.73.91 through 9903.73.96 of the HTS.

The complaining parties allege that the safeguard measures are inconsistent with certain obligations of the United States under GATT 1994 and the SA. Specifically, they allege that the safeguard measures are inconsistent with:

- Article XIX:1 of GATT 1994 because the United States did not show that imports increased in such conditions as to cause serious injury or threat of serious injury as a result of unforeseen developments;

- Articles 2.1, 4.2(a), and 4.2(c) of the SA and Article XIX of GATT 1994 because the United States failed to properly define the domestic industry

producing a product like or directly competitive with increased imports;

- Articles 2.1 and 4.2(a) of the SA and Article XIX:1 of GATT 1994 because there were no increased imports;

- Articles 2.1 and 4.2(a) of the SA and Article XIX of the GATT 1994 because the domestic industry was not experiencing serious injury or the threat of serious injury;

- Articles 2.1 and 4.2(b) of the SA and Article XIX:1 of GATT 1994 because the United States neither demonstrated the causal connection between imports and serious injury nor distinguished injury caused by factors other than increased imports from injury caused by imports;

- Articles 3.1 and 4.2(c) of the SA because the report of the U.S. competent authorities was inadequate;

- Article 5.1 of the SA and Article XIX:1 of GATT 1994 because the United States applied the measure beyond the extent necessary to prevent or remedy serious injury;

- Article 5.2 of the SA and Article XIII of GATT 1994 because the allocation of the tariff-rate quota on steel slab was incorrect;

- Articles 2.1, 2.2, 4.2, and 5.1 of the SA because the United States included free trade agreement partners in its investigation but excluded them from the safeguard measures;

- Article 2.2 of the SA and Articles I, XIII, and XIX of GATT 1994 because the United States excluded its free trade agreement partners from the safeguard measures;

- Articles 9.1 of the SA and Article I:1 of GATT 1994 because the United States excluded developing countries in a discriminatory manner;

- Article II of the GATT 1994 because the United States withdrew concessions without justification under Article XIX of the GATT 1994;

- Article X:3 of the GATT 1994 because the United States did not administer its laws in a uniform, impartial, and reasonable manner;

- Article 12 of the SA because the United States failed to provide adequate opportunity for prior consultations with affected Members of the WTO; and

- Article 8.1 of the SA because the United States did not endeavor to maintain a substantially equivalent level of concessions with members of the WTO.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Persons submitting comments may either send one copy by U.S. mail, first class,

postage prepaid, to Sandy McKinzy at the address listed above or transmit a copy electronically to FR0025@ustr.gov, with "Steel Safeguard Measures Dispute" in the subject line. For documents sent by U.S. mail, USTR requests that the submitter provide a confirmation copy, either electronically or by fax to 202-395-3640. USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter.

Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 3, First Floor, Office of the United States Trade Representative, 1724 F Street, NW., Washington, DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of

the Appellate Body. An appointment to review the public file (Docket WTO/DS-248, Steel Safeguard Measures ROO Dispute) may be made by calling the Reading Room at (202) 395-6186. The USTR Reading Room is open to the public from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

Bruce R. Hirsh,

Acting Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 02-20396 Filed 8-12-02; 8:45 am]

BILLING CODE 3190-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending August 2, 2002

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

Docket Number: OST-2002-13005.

Date Filed: July 31, 2002.

Parties: Members of the International Air Transport Association.

Subject:

PTC2 ME 0108 dated 5 July 2002
TC2 Within Middle East Resolutions r1-r14

Minutes—PTC2 ME 0109 dated 30 July 2002

Tables—PTC2 ME FARES 0038 (RE-ISSUE) dated 9 July 2002

Intended effective date: 1 January 2003

Docket Number: OST-2002-13006.

Date Filed: July 31, 2002.

Parties: Members of the International Air Transport Association.

Subject:

PTC Comp 0946 dated 30 July 2002
Composite Expedited Resolution 024d
Intended effective date: 1 September 2002.

Docket Number: OST-2002-13007.

Date Filed: July 31, 2002.

Parties: Members of the International Air Transport Association.

Subject:

PTC COMP 0947 dated 30 July 2002
Composite Expedited Resolution 210
Intended effective date: 1 October 2002

Docket Number: OST-2002-13008.

Date Filed: July 31, 2002.

Parties: Members of the International Air Transport Association.

Subject:

PTC COMP 0948 dated 30 July 2002

Composite Expedited Resolution 002hh

Intended effective date: 1 November 2002

Dorothy Y. Beard,

Federal Register Liaison.

[FR Doc. 02-20485 Filed 8-12-02; 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 August 2, 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-2002-12987.

Date Filed: July 30, 2002.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: August 20, 2002.

Description: Application of USA Jet Airlines, Inc., pursuant to 49 U.S.C. Section 41102 and Subpart B, requesting a certificate of public convenience and necessity to authorize it to engage in foreign charter air transportation of persons, property, and mail.

Docket Number: OST-2002-12989.

Date Filed: July 30, 2002.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: August 20, 2002.

Description: Application of USA Jet Airlines, Inc., pursuant to 49 U.S.C. Section 41102 and Subpart B, requesting a certificate of public convenience and necessity to authorize it to engage in interstate charter air transportation of persons, property, and mail.

Dorothy Y. Beard,

Federal Register Liaison.

[FR Doc. 02-20486 Filed 8-12-02; 8:45 am]

BILLING CODE 4910-62-P