

Commission notes that Amendment No. 2 provides useful clarification and add certain requirements to the proposal in response to concerns of Commission staff.¹⁹ Amendment No. 3 eliminates language to rule that was confusing and helps to narrow and clarify the definition of communication link.²⁰ The Commission also notes that the substance of the proposal was published for comment and no comments were received. Accordingly, the Commission finds that good cause exists, consistent with sections 6(b)(5) of the Act,²¹ and 19(b)(2) of the Act²² to accelerate approval of Amendment Nos. 2 and 3 to the proposed rule change.

IV. Conclusion

It is therefore ordered, pursuant to section 19(b)(2) of the Act,²³ that the proposed rule change (SR-NYSE-00-31), as amended, is approved.²⁴

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²⁵

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02-25165 Filed 10-2-02; 8:45 am]

BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3448]

State of Texas; Disaster Loan Areas

As a result of the President's major disaster declaration on September 26, 2002, I find that Brazoria, Frio, Galveston, La Salle, Live Oak, Matagorda, Nueces, San Patricio and Wharton Counties in the State of Texas constitute a disaster area due to damages caused by Tropical Storm Fay occurring on September 6, 2002, and continuing. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on November 25, 2002 and for economic injury until the close of business on June 26, 2003 at the address listed below or other locally announced locations:

U.S. Small Business Administration,
Disaster Area 3 Office, 4400 Amon
Carter Blvd., Suite 102, Fort Worth,
TX 76155.

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 above location: Aransas, Atascosa, Austin, Bee, Chambers, Colorado, Dimmit, Duval, Fort Bend, Harris, Jackson, Jim Wells, Karnes, Kleberg, Lavaca, McMullen, Medina, Refugio, Uvalde, Webb and Zavala in the State of Texas.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	6.625
Homeowners Without Credit Available Elsewhere	3.312
Businesses With Credit Available Elsewhere	7.000
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	3.500
Others (Including Non-Profit Organizations) With Credit Available Elsewhere	6.375
For Economic Injury: Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere	3.500

The number assigned to this disaster for physical damage is 344811. For economic injury the number is 9R8000.

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

Dated: September 26, 2002.

S. George Camp,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 02-25144 Filed 10-2-02; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice 4141]

Determination on Report on Colombian Aerial Spray Program

AGENCY: Department of State.

ACTION: Notice.

Pursuant to the Kenneth M. Ludden Foreign Operations, Export Financing and Related Programs Appropriations Act, 2002 (Public Law 107-115), and after consultation with the Administrator of the Environmental Protection Agency and the Secretary of the Department of Agriculture, I hereby determine that:

(1) Aerial coca fumigation is being carried out in Colombia in accordance with regulatory controls required by the Environmental Protection Agency as labeled for use in the United States; and in accordance with Colombian laws as confirmed by the Colombian Government;

(2) The chemicals used in the aerial spraying of coca, in the manner in which they are being applied, do not pose unreasonable risks or adverse effects to humans or the environment; and

(3) Procedures are available to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial coca fumigation and to provide fair compensation for meritorious claims; and that alternative development programs have been developed (in consultation with communities and local authorities in the departments in which such aerial coca fumigation is planned, and in the departments in which such aerial coca fumigation has been conducted) and such programs are being implemented.

You are hereby authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

Dated: September 4, 2002.

Richard L. Armitage,

Deputy Secretary of State, Department of State.

[FR Doc. 02-25169 Filed 10-2-02; 8:45 am]

BILLING CODE 4710-10-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 subchapter III of chapter 99 of 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 inadvertent errors in the Annex to Presidential Proclamation 7585 of August 28, 2002 (67 FR 56207) so that the intended tariff treatment is provided.

EFFECTIVE DATE: The corrections made in this notice are effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after September 1, 2002.

FOR FURTHER INFORMATION CONTACT: Office of Industry, Office of the United States Trade Representative, 600 17th Street, NW., Room 501, Washington DC, 20508. Telephone (202) 395-5656.

¹⁹ See Amendment No. 2, *supra* note 5.

²⁰ See Amendment No. 3, *supra* note 6.

²¹ 15 U.S.C. 78f(b)(5).

²² 15 U.S.C. 78s(b)(2).

²³ 15 U.S.C. 78s(b)(2).

²⁴ See notes 7 and 16 and accompanying text, *supra*.

²⁵ 17 CFR 200.30-3(a)(12).

SUPPLEMENTARY INFORMATION: On February 18, 2000, pursuant to section 203 of the Trade Act of 1974, as amended (the "Trade Act") (19 U.S.C. 2253), the President issued Proclamation 7274, which imposed additional duties on certain circular welded carbon quality line pipe ("line pipe") provided for in subheadings 7306.10.10 and 7306.10.50 of the HTS. On July 29, 2002, the United States Trade Representative ("USTR") negotiated an agreement with the Republic of Korea limiting the export from Korea and import into the United States of line pipe through the implementation of a tariff-rate quota, to take effect on September 1, 2002. Proclamation 7585 of August 28, 2002, revised the additional duties on line pipe from Korea, replacing them with a tariff-rate quota in the terms provided for under the agreement with Korea. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after September 1, 2002, and prior to the close of March 1, 2003, Proclamation 7585 modified subchapter III of chapter 99 of the HTS so as to provide for such tariff-rate quota.

Technical errors introduced through the annex to Proclamation 7585 have come to the attention of USTR. The annex to this notice makes technical corrections to the HTS to remedy these errors. In particular, the annex to this notice corrects errors in the tariff subheadings created by the Annex to Proclamation 7585 and the amount of the tariff-rate quota.

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 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 date set forth in each item in the Annex to this notice.

Robert B. Zoellick,

United States Trade Representative.

Annex

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 1, 2002, and prior to the close of March 1, 2003, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified as follows:

1. The insertion in the superior text to subheadings 9903.72.20 through 9903.72.25 made by item 1 of the annex to Presidential Proclamation 7585 of August 28, 2002 (67 Fed. Reg. 56207) should have read "of Canada or of Mexico", and the HTS is therefore modified accordingly.

2. Subheadings 9903.73.24, 9903.73.25, 9903.73.26, 9903.73.27, 9903.73.28 and 9903.73.29, as added to the HTS by item 2 of the annex to that Proclamation, are redesignated as subheadings 9903.72.24, 9903.72.25, 9903.72.26, 9903.72.27, 9903.72.28 and 9903.72.29, respectively.

3. Subheadings 9903.72.25 and 9903.72.26 (as redesignated by item 2 of this annex) are each modified by deleting "31,751,733 kg" and by inserting "15,875,895 kg" in lieu thereof.

[FR Doc. 02-25088 Filed 10-2-02; 8:45 am]

BILLING CODE 3190-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-02-13409]

Highway Safety Programs; Model Specifications for Devices To Measure Breath Alcohol

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: This notice amends the Conforming Products List for instruments that conform to the Model Specifications for Evidential Breath Testing Devices (58 FR 48705).

EFFECTIVE DATE: October 3, 2002.

FOR FURTHER INFORMATION CONTACT: Dr. James F. Frank, Research and Technology Office, Behavioral Research Division (NTI-131), National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590; Telephone: (202) 366-5593.

SUPPLEMENTARY INFORMATION: On November 5, 1973, the National Highway Traffic Safety Administration (NHTSA) published the Standards for Devices to Measure Breath Alcohol (38 FR 30459). A Qualified Products List of Evidential Breath Measurement Devices comprised of instruments that met this standard was first issued on November 21, 1974 (39 FR 41399).

On December 14, 1984 (49 FR 48854), NHTSA converted this standard to Model Specifications for Evidential Breath Testing Devices, and published a Conforming Products List (CPL) of instruments that were found to conform to the Model Specifications as Appendix D to that notice (49 FR 48864).

On September 17, 1993, NHTSA published a notice (58 FR 48705) to amend the Model Specifications. The notice changed the alcohol concentration levels at which instruments are evaluated, from 0.000, 0.050, 0.101, and 0.151 BAC, to 0.000, 0.020, 0.040, 0.080, and 0.160 BAC; added a test for the presence of acetone; and expanded the definition of alcohol to include other low molecular weight alcohols including methyl or isopropyl. On July 21, 2000, the most recent amendment to the Conforming Products List (CPL) was published (65 FR 45419), identifying those instruments found to conform with the Model Specifications.

Since the last publication of the CPL, seven (7) instruments have been evaluated and found to meet the model specifications, as amended on September 17, 1993, for mobile and non-mobile use. In alphabetical order by company, they are: (1) Alert J4X.ec manufactured by Alcohol Countermeasure Systems, Inc. of Mississauga, Ontario, Canada. This is a hand held device that uses a fuel cell sensor and is powered by an internal battery. (2) Intoxilyzer 8000 manufactured by CMI, Inc. of Owensboro, KY. This is a non-dispersive infrared device which uses the 3.4 micron and the 9 micron band for measurement of alcohol. It is powered by 120 volts AC power or by 12 volts DC power from a car battery. (3) Intoxilyzer S-D5 manufactured by CMI, Inc. of Owensboro, KY. This device is a hand-held device that uses a fuel cell sensor. (4) The new Alco-Sensor III with serial numbers above 1,200,000. This is an enhanced version of the earlier Alco-Sensor III. The enhanced version has a new fuel cell and a microprocessor that improves performance. It is a hand held device intended for stationary or roadside operations. As indicated, it uses a fuel cell sensor and is powered by an internal battery. (5) The Intox EC/IR 2 manufactured by Intoximeters, Inc. of St. Louis, Missouri. This is a bench top device intended primarily for use in stationary operations. It uses a fuel cell sensor and can be powered by either 110 volts AC or 9 volts DC power sources. (6) The FC 10, manufactured by Lifeloc Technologies, Inc. of Wheat Ridge, CO. This is a handheld device that uses a fuel cell sensor. (7) The FC 20, also manufactured by Lifeloc Technologies, Inc. of Wheat Ridge, CO. This is also a handheld device that uses a fuel cell sensor. The Lifeloc FC 20 is similar to the FC 10 except that it has additional features that are not addressed by the model specifications.

Finally, three devices are being removed from the CPL, because they are