

different number of contracts for broker-dealer orders than for customer orders.<sup>14</sup> In addition, the Exchange represents that contracts that are automatically executed would be allocated automatically on the Exchange's "Wheel."<sup>15</sup> The Exchange notes that contracts executed manually would be allocated by the specialist in the same manner as all orders received via AUTOM that are manually executed by the specialist in accordance with Phlx rules.<sup>16</sup>

### III. Discussion

The Commission has carefully reviewed the proposed rule change, as amended, and finds that it is consistent with the Act and the rules and regulations promulgated thereunder applicable to a national securities exchange and, in particular, with the requirements of section 6(b).<sup>17</sup> Specifically, the Commission finds that approval of the proposed rule change is consistent with section 6(b)(5)<sup>18</sup> in that it is designed to promote just and equitable principles of trade, to remove impediments and to perfect the mechanism of a free and open market and a national market system, and in general, to protect investors and the public interest.

The Commission believes that the proposed rule change, as amended, should enable the Phlx to codify the merger of its new Auto-Quote system with its current AUTO-X system, and should provide for a more orderly system for the automatic execution of

eligible orders through AUTO-X. The Commission notes that this proposed rule change will enable the Phlx to automatically execute eligible orders at the Exchange's disseminated size, subject to a minimum and a maximum AUTO-X guarantee size that would be set by the specialist on an issue-by-issue basis, subject to the Phlx Options Committee's approval. In addition, the Commission believes that providing automatic executions at the Exchange's disseminated size should enhance the ability of investors to ascertain the actual number of contracts available for automatic execution of eligible orders. Accordingly, the proposed rule change should result in more transparency for investors and the marketplace.

The Commission also notes that the Exchange is eliminating the reference to public customers orders from Exchange Rule 1080(c) because, for certain issues, broker-dealer orders may be eligible for automatic execution. The Commission further notes that the Exchange has represented that, because public customers and broker-dealers may have different AUTO-X guarantee sizes, the Exchange will make sure that the larger of the two sizes will constitute the AUTO-X guarantee for purposes of the pilot.<sup>19</sup> This is based on the fact that, as a business practice, the Exchange represents that it wants to provide automatic executions for the largest size possible.<sup>20</sup>

In addition, the Commission finds good cause for approving Amendment Nos. 1 and 2 to the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof in the **Federal Register**. The Commission finds that Amendment No. 1 provides clarification as to how the proposed rule change will operate in relation to Phlx's current pilot in which AUTO-X is disengaged for thirty seconds once the AUTO-X guarantee is exhausted within a fifteen-second period. In addition, Amendment No. 1 provides a more detailed description as to how orders will be allocated and executed, and clarifies that the Options Committee will delegate its authority to approve the minimum and maximum AUTO-X guarantee size for a particular option to two Phlx Floor Officials. Amendment No. 2 amends the proposed rule text to reflect changes to Exchange Rule 1080(c) that have been made to the rule since this original 19b-4 proposal was filed on July 3, 2002. The Commission, therefore, finds good cause to approve Amendment Nos. 1 and 2 to

the proposed rule change on an accelerated basis.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the Amendment Nos. 1 and 2 to 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 at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Phlx-2002-39 and should be submitted by December 24, 2002.

### V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>21</sup> that the proposed rule change (SR-Phlx-2002-39) is hereby approved, and that Amendment Nos. 1 and 2 to the proposed rule change is approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>22</sup>

**Margaret H. McFarland**,  
Deputy Secretary.

[FR Doc. 02-30536 Filed 12-2-02; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### Office of the Coordinator for Counterterrorism

[Public Notice 4213]

### Designation of Foreign Terrorist Organizations

Pursuant to section 219 of the Immigration and Nationality Act ("INA"), as added by the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-132, § 302, 110 Stat. 1214, 1248 (1996), and amended by the

<sup>14</sup> Currently, the Exchange is operating an AUTO-X pilot program that disengages AUTO-X in an option for 30 seconds when the number of contracts executed automatically for the option meets the AUTO-X guarantee within a 15 second time frame. See Securities Exchange Act Release No. 45862 (May 1, 2002), 67 FR 30990 (May 8, 2002). The Exchange has stated that this pilot will continue to operate and that if there is a different size for customers and broker-dealers, the larger of the two sizes will constitute the AUTO-X guarantee for purposes of the pilot. This is based on the fact that, as a business practice, the Exchange wants to provide automatic executions for the largest size possible. Telephone call between Sonia Patton, Division, Commission, and Richard Rudolph, Director and Counsel, Phlx (August 5, 2002). See also Amendment No. 1, *supra* note 4.

<sup>15</sup> See Phlx Rule 1080(g) and Option Floor Procedure Advice ("OFPA") F-24.

<sup>16</sup> In a separate rule proposal, the Exchange has proposed amendments to OFPA F-2, OFPA F-12, and Exchange Rule 1014(g) regarding who is responsible for allocating a trade executed on its floor. See File No. SR-Phlx-2001-28. In another separate proposal, the Exchange proposed amendments to OFPA B-6 and Exchange Rule 1014(g) regarding the method for allocating trades executed on its floor. See File No. SR-2001-39.

<sup>17</sup> 15 U.S.C. 78f(b). In approving this proposal, the Commission has considered the proposed rule's impact on efficiency, competition and capital formation. 15 U.S.C. 78c(f).

<sup>18</sup> 15 U.S.C. 78f(b)(5).

<sup>19</sup> For a brief description of the pilot, see *supra* note 14.

<sup>20</sup> See *supra* note 14.

<sup>21</sup> 15 U.S.C. 78s(b)(2).

<sup>22</sup> 17 CFR 200.30-3(a)(12).

Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104-208, 110 Stat. 3009 (1996), and by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, Public Law 107-56 (2001), the Deputy Secretary of State hereby amends, effective December 3, 2002, the 2001 redesignation of the Kurdistan Workers' Party (PKK and other aliases) as a "foreign terrorist organization" to add the following names as aliases of the PKK:

Kurdistan Freedom and Democracy Congress  
Freedom and Democracy Congress of Kurdistan  
KADEK

Dated: November 26, 2002.

**William P. Pope,**

*Acting Coordinator for Counterterrorism,  
Department of State.*

[FR Doc. 02-30544 Filed 12-2-02; 5:00 pm]

BILLING CODE 4710-10-P

## DEPARTMENT OF STATE

[Public Notice 4194]

### Notice of Meetings: United States International Telecommunication Advisory Committee Information Meeting on the World Summit on the Information Society and the U.S. Preparatory Process

The Department of State announces meetings of the U.S. International Telecommunication Advisory Committee (ITAC). The purpose of the Committee is to advise the Department on matters related to telecommunication and information policy matters in preparation for international meetings pertaining to telecommunication and information issues.

The ITAC will meet to discuss the matters related to the World Summit on the Information Society (WSIS) which will take place in December 2003, including U.S. preparations for the WSIS. The meeting will take place on December 17, 2002, from 10 a.m. to 12 p.m. at the Historic National Academy of Science Building. The National Academy of Sciences is located at 2100 C St. NW., Washington, DC.

Members of the public are welcome to participate and may join in the discussions, subject to the discretion of the Chair. People intending to attend a meeting at the Department of State should send the following data by fax to (202) 647-7407 or e-mail to [worsleydm@state.gov](mailto:worsleydm@state.gov) not later than 24 hours before the meeting: (1) name of

the meeting, (2) your name, and (3) organizational affiliation. A valid photo ID must be presented to gain entrance to the National Academy of Sciences Building. Directions to the meeting location may be obtained by calling the ITAC Secretariat at 202 647-2592 or e-mail to [worsleydm@state.gov](mailto:worsleydm@state.gov).

Dated: November 26, 2002.

**Sally Shipman,**

*Telecommunication Policy Advisor,  
Department of State.*

[FR Doc. 02-30596 Filed 12-2-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG-2002-13929]

### Recreational Boating Safety Projects, Programs and Activities Funded Under Provisions of the Transportation Equity Act for the 21st Century; Accounting of

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice.

**SUMMARY:** Subsection (c) of Section 7405 of the Transportation Equity Act for the 21st Century makes \$5,000,000 available each of five fiscal years to the Secretary of Transportation for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program. The Act requires that the Secretary publish annually in the **Federal Register** a detailed accounting of the projects, programs, and activities under this subsection.

**ADDRESSES:** You may obtain a copy of this notice by calling the U.S. Coast Guard Infoline at 1-800-368-5647. This notice is available on the Internet at <http://dms.dot.gov> and at <http://www.uscgboating.org>.

**FOR FURTHER INFORMATION CONTACT:** Captain Scott Evans, USCG, Chief, Office of Boating Safety, telephone 202-267-1077, fax 202-267-4285, or Mr. Jeffrey N. Hoedt, Chief, Program Management Division, telephone 202-267-0950, fax 202-267-4285.

**SUPPLEMENTARY INFORMATION:** The Transportation Equity Act for the 21st Century became law on June 9, 1998. The Act requires that of the \$5 million made available to carry out the national recreational boating safety program, each year, \$2,000,000 shall be available only to ensure compliance with Chapter 43 of title 46, U.S. Code—Recreational Vessels. The responsibility to administer these funds is delegated to

the Commandant of the United States Coast Guard. The statute directs that no funds available to the Secretary under this subsection may be used to replace funding traditionally provided through general appropriations, nor for any purposes except those purposes authorized; namely, for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program. Amounts made available each fiscal year, 1999-2003, shall remain available until expended. Use of these funds requires compliance with standard Federal contracting rules with associated lead and processing times resulting in a lag time between available funds and spending. The following activities have been initiated using fiscal year 1999-2002 funds transferred to the Coast Guard from the Aquatic Resources (Wallop-Breaux) Trust Fund. The total amount of fiscal year 1999, 2000, 2001 and 2002 funding committed, obligated and/or expended for each activity is shown.

**Factory Visit Program:** An initial contract was awarded to establish a national recreational boat factory visit program using contractor personnel. The contract included the development of a plan of action and an eighteen-month pilot program to validate the elements of the plan and the concept of the program. The pilot program commenced in the summer of 2000. "Compliance associates" (inspectors) were trained and formal factory visits were initiated in January 2001. The factory visit program currently allows contractor personnel, acting on behalf of the Coast Guard, to visit approximately 2,000 recreational boat manufacturers each year to inspect for compliance with the Federal regulations, communicate with the manufacturers as to why they need to comply with the Federal regulations, and educate them, as necessary, on how to comply with the Federal regulations. (\$4,484,665)

**Boat Compliance Testing:** Funding is providing for expansion of the boat compliance testing program whereby new manually propelled and outboard recreational boats are purchased in the open market and tested for compliance with the Federal flotation standards. The expanded program includes inboard/sterndrive boats and used boats. (\$401,381)

**Associated Equipment Compliance Testing:** A contract was awarded to buy recreational boat "associated equipment," e.g., starters, alternators, fuel pumps, bilge pumps, etc., and test this equipment for compliance with Federal safety regulations. This new