

be effective and operative upon filing with the Commission.<sup>12</sup>

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal 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 Room. Copies of such filing will also be available for inspection and copying at the principal office of Nasdaq. All submissions should refer to file number SR-NASD-2003-11 and should be submitted by March 4, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

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

[FR Doc. 03-3321 Filed 2-10-03; 8:45 am]

**BILLING CODE 8010-01-P**

#### SMALL BUSINESS ADMINISTRATION

##### Data Collection Available for Public Comments and Recommendations

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

**DATES:** Submit comments on or before April 14, 2003.

**ADDRESSES:** Send all comments regarding whether this information collections is necessary for the proper performance of the function of the agency, whether the burden estimates

are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Margie Rich, Financial Analyst, Office of Financial Assistance, Small Business Administration, 409 3rd Street, SW., Suite 8300, Washington DC 20416

**FOR FURTHER INFORMATION CONTACT:** Margie Rich, Financial Analyst, (202) 205-7512 or Curtis B. Rich, Management Analyst, (202) 205-7030.

#### SUPPLEMENTARY INFORMATION:

*Title:* Microloan Program Electronic Reporting System (MPERS).

*Form No:* N/A.

*Description of Respondents:* Microloan Program Intermediary Lenders

*Annual Responses:* 2600.

*Annual Burden:* 107.

**Jacqueline White,**  
*Chief, Administrative Information Branch.*  
[FR Doc. 03-3388 Filed 2-10-03; 8:45 am]  
**BILLING CODE 8025-01-P**

#### SMALL BUSINESS ADMINISTRATION

##### Public Federal Regulatory Enforcement Fairness Hearing; Region III Regulatory Fairness Board

The Small Business Administration Region III Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a public hearing on Thursday, February 20, 2003, at 1 p.m. (e.s.t.) at the Martin Luther King, Jr. Memorial Library, 901 G Street, NW., A-5 Auditorium, Washington, DC 20001, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by Federal agencies.

Anyone wishing to attend or to make a presentation must contact Sheila Thomas in writing or by fax, in order to be put on the agenda. Sheila Thomas, U.S. Small Business Administration, Washington District Office, 1110 Vermont Avenue, NW., Suite 900, P.O. Box 34500, Washington, DC 20005, phone (202) 606-4000 ext 276, fax (202) 481-5567, e-mail [sheila.thomas@sba.gov](mailto:sheila.thomas@sba.gov).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: February 4, 2003.

**C. Edward Rowe, III,**  
*Counsel, Office of the National Ombudsman.*  
[FR Doc. 03-3349 Filed 2-10-03; 8:45 am]

**BILLING CODE 8025-01-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:** Pursuant to authority delegated to the United States Trade Representative ("USTR") in Presidential Proclamation 6969 of January 27, 1997 (62 FR 4415), 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. These modifications correct several inadvertent errors and omissions in subheadings 9903.72.30 through 9903.74.24 of the HTS 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 the dates set forth in the annex to this notice.

**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.

**SUPPLEMENTARY INFORMATION:** On March 5, 2002, pursuant to section 203 of the Trade Act of 1974, as amended (the "Trade Act") (19 U.S.C. 2253), the President issued Proclamation 7529 (67 FR 10553), which imposed tariffs and a tariff-rate quota on (a) certain flat steel, consisting of: slabs, plate, hot-rolled steel, cold-rolled steel, and coated steel; (b) hot-rolled bar; (c) cold-finished bar; (d) rebar; (e) certain tubular products; (f) carbon and alloy fittings; (g) stainless steel bar; (h) stainless steel rod; (i) tin mill products; and (j) stainless steel wire, as provided for in subheadings 9903.72.30 through 9903.74.24 of the Harmonized Tariff Schedule of the United States ("HTS") ("safeguard measures") for a period of three years plus 1 day. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m., e.s.t., on March 20, 2002, Proclamation 7529 modified subchapter III of chapter 99 of the HTS so as to provide for such increased duties and a tariff-rate quota. Proclamation 7529 also delegated to the USTR the authority to consider requests for exclusion of a particular product submitted in accordance with the procedures set out in 66 FR 54321, 54322-54323 (October

<sup>12</sup> For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>13</sup> 17 CFR 200.30-3(a)(12).

26, 2001) and, upon publication in the **Federal Register** of a notice of his finding that a particular product should be excluded, to modify the HTS provision created by the annex to that proclamation to exclude such particular product from the pertinent safeguard measure. On April 5, 2002, USTR published a notice in the **Federal Register** excluding particular products from the safeguard measures, and modified the HTS accordingly. 67 FR 16484. On July 3, the President issued Proclamation 7576, which extended the period for granting exclusions until August 31, 2002. On July 12, 2002, and August 30, 2002, USTR published notices in the **Federal Register** excluding additional products from the safeguard measures, and modified the HTS accordingly. 67 FR 46221 and 67 FR 56182.

On March 19, 2002, June 4, 2002, July 12, 2002, August 30, and November 14 of 2002, USTR published **Federal Register** notices (67 FR 12635, 67 FR 38541, 67 FR 46221, 67 FR 56182 and 67 FR 69065, respectively) making technical corrections to subchapter III of chapter 99 of the HTS to remedy several technical errors introduced in the annex to Proclamation 7529. These corrections ensured that the intended tariff treatment was provided. Since the publication of these **Federal Register** notices, additional technical errors and omissions in subchapter III of chapter 99 have come to the attention of USTR. The annex to this notice makes technical corrections to the HTS to remedy these errors and omissions. In particular, the annex to this notice corrects errors in the descriptions of the physical dimensions or chemical composition of certain products excluded from the application of the safeguard measures.

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 dates set forth in the Annex to this notice.

**Robert B. Zoellick,**  
*United States Trade Representative.*

#### ANNEX

Subchapter III of chapter 99 of the Harmonized Tariff Schedule (HTS) is modified as set forth in this annex, with bracketed matter included to assist in the understanding of the modifications. The following provisions supersede matter now in the HTS, with the new subheadings being inserted by this notice set forth in columnar format and the material inserted in the HTS columns entitled "Heading/ Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special", and "Rates of Duty 2", respectively. Subheadings 9903.73.32 and 9903.73.33 shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m. e.d.t., July 12, 2002. The remaining provisions of this annex shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m. e.s.t., on March 20, 2002, or, in the case of corrections in existing provisions, on or after the date of the inclusion in, or of the previous correction of, the individual HTS provision being corrected.

1. U.S. note 11 to such subchapter III is hereby modified as follows:

(A) In subdivision (c)(xxx)(J), "N" is deleted at each instance and "N/mm<sup>2</sup>;" is inserted in lieu thereof;

(B) In subdivision (c)(xxxix), the language "during the 12-month period beginning on July 3, 2002, or July 3, 2003, or during the period July 3, 2004, through March 20, 2005, inclusive;" is inserted after "30,000";

(C) In subdivision (c)(ccvii), "designated as X-083" is inserted after "; inclusive;";

(D) Subdivision (c)(cliv) is deleted and the following new provisions are inserted in lieu thereof:

"(cliv) Stainless steel products, designated as N-378, meeting the characteristics described below:

(A) Straight bars and rods, or round wire on spools or in coils, all the foregoing specifications:

(I) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.70, manganese not over 0.50, chromium 20.50 to 23.50, aluminum 5.0 to 6.0 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal APM.";

(II) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.70, manganese not over 0.50,

chromium 20.50 to 23.50, aluminum 4.30 to 5.30 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal D";

(III) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.07, manganese not over 0.40, chromium 20.50 to 23.50, aluminum 4.80 to 5.8 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal AF"; or

(IV) Chemical composition (percent by weight): carbon not greater than 0.08, silicon not greater than 0.70, manganese not greater than 0.40, aluminum 5.30 to 6.30, chromium 20.50 to 23.50 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal A-1"; or

(V) Chemical composition (percent by weight): carbon not over 0.10, manganese not over 1.00, silicon 1.60 to 2.50, chromium 18.0 to 21.0, nickel 34.0 to 37.0 and balance iron; sometimes referred to as (but not limited to) products known as "Nikrothal 40";

(B) Round wire on spools or in coils, the specifications:

(I) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.70, manganese not over 0.50, chromium 20.50 to 23.50, aluminum 4.60 to 5.60 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal DT";

(II) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.70, manganese not over 0.50, chromium 20.50 to 23.50, aluminum 4.80 to 5.80 and balance iron; sometimes referred to as (but not limited to) products known as "Kanthal A"; or

(III) Chemical composition (percent by weight): carbon not over 0.08, silicon not over 0.70, manganese not over 0.50, chromium 14.00 to 16.00, aluminum 3.80 to 4.80 and balance iron; sometimes referred to as (but not limited to) products known as "Alkrothal 14";

(E) In subdivision (c)(xxviii)(A), "397 MPa or more" is deleted and "335 to 420 MPa" is inserted in lieu thereof; "450 MPa or more" is deleted and "385 to 465 MPa" is inserted in lieu thereof;

(F) In subdivision (c)(xxiv)(B), the word "maximum" should be inserted after "manganese 0.40" the word "maximum" should be inserted after "chromium 5.40" and the word "maximum" should be inserted after "molybdenum 1.70";

(G) In subdivision (c)(xxiv)(C), the word "maximum" should be inserted after "molybdenum 0.65";

(H) In subdivision (c)(xxiv)(D), the word "maximum" should be inserted after "molybdenum 3.50";

(I) In subdivision (c)(xxiv)(E), the word "maximum" should be inserted after "molybdenum 0.80";

(J) In subdivision (c)(xxiv)(F), the word "maximum" should be inserted after "molybdenum 0.40";

(K) In subdivision (c)(cxxxiii), the word "silicon" is deleted and "sulfur" is inserted in lieu thereof;

(L) In subdivision (c)(cxlvi), each instance of "0.25 percent or more but" should be deleted;

(M) In subdivision (c)(lx)(A), the phrase "sulphur 0.15 maximum" is deleted and "sulfur 0.15 minimum" is

inserted in lieu thereof and the phrase "tellurium added 0.03 minimum" is deleted and "tellurium added 0.010 to 0.070" is inserted in lieu thereof;

2. The enumerated subheadings in such subchapter III are modified as follows:

(A) In subheading 9903.72.51, "or N-408" should be inserted after "X-134";

(B) In subheading 9903.72.72, "or N-408" should be inserted after "X-134";

(C) In subheading 9903.72.74, the language "and entered in an aggregate annual quantity not to exceed 750,000 t" should be inserted after "X-087"

(D) In subheading 9903.73.30, "(A) and (B)" is inserted after "11(b)(xiv)"

(E) In subheading 9903.75.22, the language "and entered in an aggregate annual quantity not to exceed 1,550 t" should be inserted after "subchapter";

(F) In subheading 9903.77.69, the language "and entered in an aggregate annual quantity not to exceed 1,500 t" should be inserted after "subchapter";

(G) Subheading 9903.77.71 is deleted;

(H) Subheading 9903.73.47 is deleted;

3. The following new subheadings are inserted in numerical sequence:

	[Flat-rolled...] [Goods...]			
"9903.73.32	Enumerated in U.S. note 11(b)(xiv)(C) to this subchapter and entered in an aggregate annual quantity not to exceed 36,000 t.	No change ...	No change ...	No change.
9903.73.33	Enumerated in U.S. note 11(b)(xiv)(D) to this subchapter and entered in an aggregate annual quantity not to exceed 40,000 t.	No change ...	No change ...	No change.
	[Goods...]			
9903.74.59	Enumerated in U.S. note 11(c)(cxviii) to this subchapter .....	No change ...	No change ...	No change.
9903.74.60	Enumerated in U.S. note 11(c)(cxix) to this subchapter .....	No change ...	No change ...	No change.
9903.76.23	Enumerated in U.S. note 11(c)(cxi) to this subchapter .....	No change ...	No change ...	No change."

#### Conforming changes

Subheading 9903.72.57 is modified by deleting "9903.74.58" and by inserting in lieu thereof "9903.74.60".

Subheading 9903.73.18 is modified by deleting "9903.76.22" and by inserting in lieu thereof "9903.76.23".

[FR Doc. 03-3395 Filed 2-10-03; 8:45 am]

BILLING CODE 3190-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 627X)]

#### CSX Transportation, Inc.—

#### Abandonment Exemption—in Floyd County, KY

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon an approximately 13.4-mile line of railroad between milepost CON 3.1 at Salisbury and milepost CON 16.5 near Clear Creek Junction in Floyd County, KY. The line traverses United States Postal Service Zip Codes 41604, 41606, 41631, 41636, 41647, and 41649.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8

(historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on March 13, 2003, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by February 21, 2003. Petitions to reopen or requests for public use conditions under 49 CFR

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

1152.28 must be filed by March 3, 2003, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to CSXT's representative: Natalie S. Rosenberg, 500 Water Street, J150, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by February 14, 2003. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington DC 20423) or by calling SEA, at (202) 565-1552. (Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339). Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historical preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority