

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 will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx-97-41 and should be submitted by October 8, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁸

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-24590 Filed 9-16-97; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

ACTION: Notice of reporting requirements submitted for review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATES: Comments should be submitted on or before October 17, 1997. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Jacqueline White, Small Business Administration, 409 3RD Street, SW., 5th Floor, Washington, D.C. 20416, Telephone: (202) 205-6629.

OMB Reviewer: Victoria Wassmer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC. 20503.

Title: SBA Counseling Evaluation.
Form No: 1419.

Frequency: Annually.
Description of Respondents: Small Business Clients.
Annual Responses: 2,800.
Annual Burden: 476.

Dated: September 11, 1997.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 97-24645 Filed 9-16-97; 8:45 am]

BILLING CODE 8025-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D-17]

WTO Dispute Settlement Proceeding Regarding Certain Indonesian Measures Affecting the Automobile Industry

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: Pursuant to section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the Office of the United States Trade Representative (USTR) is providing notice that, at the request of the United States, a dispute settlement panel has been established under the Agreement Establishing the World Trade Organization (WTO), to examine certain Indonesian measures affecting the automobile industry. More specifically, in this dispute the United States alleges that the Indonesian measures in question are inconsistent with several WTO agreements, including Articles I:1, III:2, and III:7 of the General Agreement on Tariffs and Trade 1994 (GATT 1994); Article 2 of the Agreement on Trade-Related Investment Measures (TRIMs Agreements); Articles 3, 20 and 65 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement); and Article 28.2 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement); In addition, the United States alleges that the measures in question constitute subsidies that cause "serious prejudice" to the interests of the United States in view of Articles 6 and 27 of the SCM Agreement. USTR also invites written comments from the public concerning the issues raised in the dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before October 3, 1997, to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Ileana Falticeni, Office of Monitoring and Enforcement, Room 501, Attn: Indonesia Automobile Industry Dispute, Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT:

William D. Hunter, Assistant General Counsel, (202) 395-3582, or Mary Latimer, Office of Asia & the Pacific, (202) 395-4755.

SUPPLEMENTARY INFORMATION: On June 12, 1997, the United States requested the establishment of a WTO dispute settlement panel to examine whether certain Indonesian measures affecting the automobile industry are inconsistent with Indonesia's obligations under several WTO agreements, and whether such measures constitute subsidies that cause serious prejudice to the interests of the United States under the SCM Agreement. Previously, on April 17, 1997 and May 12, 1997, Japan and the European Communities (EC), respectively, had requested the establishment of a panel regarding some of the same measures, making claims that were similar to, but narrower in scope than, those made by the United States. On June 12, 1997, the WTO Dispute Settlement Body (DSB) established a panel to examine the complaints of Japan and the EC. On July 30, 1997, the DSB established a panel to examine the U.S. complaint, and decided to consolidate the U.S. panel with the Japan/EC panel established earlier. Under normal circumstances, the panel, which will hold its meetings in Geneva, Switzerland, would be expected to issue a report detailing its findings and recommendations within twelve months after it is established.

Major Issues Raised by the United States and Legal Basis of Complaint

In 1993, Indonesia adopted a system of incentives for manufacturers of motor vehicles and parts in the form of duty reductions on imports of certain products and tax reductions on the sale of motor vehicles. These incentives are conditional on compliance with local content requirements with respect to inputs. In February, 1996, Indonesia expanded this system of incentives to provide additional tax and tariff incentives designed to promote a "national car" that was produced by an Indonesian company, carried a unique Indonesian trademark, and had a gradually-increasing percentage of local content over the ensuing three years. Indonesia made a modification to this program in June, 1996, when it

⁸ 17 CFR 200.30-3(a)(12) (1997).

permitted the "national car" to be produced outside Indonesia.

The USTR believes that these measures are inconsistent with several provisions of the WTO agreements, including the following:

- The grant of tax and tariff benefits under the "national motor vehicle" program to finished cars imported into Indonesia from a sole supplier in Korea is inconsistent with Articles I:1 and III:7 of the GATT 1994;
- The grant of benefits tied to percentage local content under the 1993 program and the "national car" program is inconsistent with Article III:4 of the GATT 1994 and Article 2 of the TRIMs Agreement;
- The effective imposition of a lower tax on domestic motor vehicle parts and components than on imported parts components is inconsistent with Article III:2 of the GATT 1994;
- The grant of luxury tax-free treatment to "national motor vehicle" that is not granted to imported finished vehicles is inconsistent with Article III:2 of the GATT 1994;
- The grant of national car benefits only to those cars bearing a unique Indonesian trademark owned by Indonesia nationals discriminates against foreign-owned trademarks and their owners in a manner inconsistent with Articles 3, 30 and 65 of the TRIPs Agreement;
- The adoption of the "national car program" in 1996 had the effect of extending the scope of tax- and tariff-based subsidies in a manner inconsistent with Article 28.2 of the SCM Agreement; and
- The grant of the tax and tariff benefits described above constitute specific subsidies that cause serious prejudice to the interests of the United States within the meaning of the SCM Agreement by displacing or impeding imports of U.S. motor vehicles, and of parts or components thereof, into the Indonesian market and/or by creating significant price and undercutting, price suppression, price depression and/or loss of sales for U.S. exporters to that market.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. 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 commenter.

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 that 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 101, Office of the United States Trade Representative, 600 17th Street, N.W., 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/D-17 ("U.S.-Indonesia Automobile Industry Dispute")) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant U.S. Trade Representative for Monitoring and Enforcement.

[FR Doc. 97-24671 Filed 9-16-97; 8:45 am]

BILLING CODE 3190-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44

U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on May 29, 1997 (62 FR 29183-29184).

DATES: Comments must be submitted on or before October 17, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. Robert C. Winans, Office of Engineering, (202) 366-4656, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m.—4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Federal Highway Administration (FHWA)

Title: Developing and Recording Costs for Railroad Adjustments.

OMB Number: 2125-0521.

Type of Request: Reinstatement, with change, of a previously approved collection for which approval has expired.

Affected Public: Railroad companies.

Abstract: Under the provisions of 23 U.S.C. 130 and 23 U.S.C. 101(a), Federal-aid highway funds may be used to reimburse State highway agencies when they have paid for the cost of projects that eliminate hazards at railroad/highway crossings or that adjust railroad facilities to accommodate the construction of highway projects. Section 121 of Title 23 establishes the general principle that when Federal-aid highway funds are being used to reimburse State highway agencies for construction costs, Federal payment shall be based on costs incurred. FHWA regulation 23 CFR part 140, subpart I requires that each railroad company be able to document its costs or expenses for adjusting its facilities. Each railroad company is required to have a system of recording labor, materials, supplies and equipment costs incurred when undertaking necessary railroad work. This record of costs forms the basis for payment by the State highway agency to the railroad company and, in turn, FHWA reimburses the State for its payment to the railroad.

Estimated Annual Burden Hours: 36,800.

Number of Respondents: 115.