

Register or within such longer period (i) as the Commission may designate, up to 90 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 PHLX 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. 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 will also be available for inspection and copying at the principal office of the PHLX. All submissions should refer to File No. SR-PHLX-97-39 and should be submitted by October 30, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁷

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-26722 Filed 10-8-97; 8:45 am]

BILLING CODE 8010-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Request of the Government of Suriname to be Designated a Beneficiary of the Caribbean Basin Economic Recovery Act; Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for public comment.

SUMMARY: Suriname has requested designation as a beneficiary country under the Caribbean Basin Economic Recovery Act. Interested parties are invited to submit comments relevant to the criteria to be examined in determining Suriname's eligibility for such designation.

DATES: Comments are due at USTR by October 30, 1997.

ADDRESSES: Comments should be addressed to: Susan Cronin, Director for Caribbean and Central American Affairs, Office of U.S. Trade Representative, 600 17th Street, N.W., Room 523, Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: Susan Cronin, Director for Caribbean and Central American Affairs, Office of United States Trade Representative, 600 17th Street, N.W., Room 523, Washington, D.C. 20506; (202) 395-5190.

SUPPLEMENTARY INFORMATION: The Caribbean Basin Economic Recovery Act (the "CBERA") (Title II, Pub. L. 98-67, as amended (19 U.S.C. 2701 et seq.)) authorizes the President to proclaim duty-free treatment for eligible articles from designated beneficiary countries in the Caribbean Basin. Suriname has requested designation as a beneficiary country under the CBERA.

Section 212(b) of the CBERA provides that the President shall not designate any country a CBERA beneficiary country—

(1) If such country is a Communist country;

(2) If such country

(A) Has nationalized, expropriated or otherwise seized ownership or control of property owned by a United States citizen or by a corporation, partnership, or association which is 50 per centum or more beneficially owned by United States citizens,

(B) Has taken steps to repudiate or nullify—

(i) Any existing contract or agreement with, or

(ii) Any patent, trademark, or other intellectual property of, a United States citizen or a corporation, partnership, or association which is 50 per centum or more beneficially owned by United States citizens, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of property so owned, or

(C) Has imposed or enforced taxes or other exactions, restrictive maintenance or operational conditions, or other measures with respect to property so owned, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of such

property, unless the President determines that—

(i) Prompt, adequate, and effective compensation has been or is being made to such citizen, corporation, partnership, or association.

(ii) Good-faith negotiations to provide prompt, adequate, and effective compensation under the applicable provisions of international law are in progress, or such country is otherwise taking steps to discharge its obligations under international law with respect to such citizen, corporation, partnership, or association, or

(iii) A dispute involving such citizen, corporation, partnership, or association, over compensation for such a seizure has been submitted to arbitration under the provisions of the Convention for the Settlement of Investment Disputes, or in another mutually agreed upon forum, and promptly furnishes a copy of such determination to the Senate and House of Representatives;

(3) If such country fails to act in good faith in recognizing as binding or in enforcing arbitral awards in favor of United States citizens or a corporation, partnership or association which is 50 per centum or more beneficially owned by United States citizens, which have been made by arbitrators appointed for each case or by permanent arbitral bodies to which the parties involved have submitted their dispute;

(4) If such country affords preferential treatment to the products of a developed country, other than the United States, which has, or is likely to have, a significant adverse effect on United States commerce, unless the President has received assurances satisfactory to him that such preferential treatment will be eliminated or that action will be taken to assure that there will be no such significant adverse effect, and he reports those assurances to the Congress;

(5) If a government-owned entity in such country engages in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent;

(6) Unless such country is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of United States citizens; and

(7) If such country has not or is not taking steps to afford internationally recognized worker rights (as defined in section 502(a)(4) of the Trade Act of 1974) to workers in the country (including any designated zone in that country).

Paragraphs (1), (2), (3), (5), and (7) shall not prevent the designation of any

⁷ 17 CFR 200.30-3(a)(12).

country as a beneficiary country under this Act if the President determines that such designation will be in the national economic or security interest of the United States and reports such determination to the Congress with his reasons therefor.

Section 212(c) of the CBERA provides that the President, in determining whether to designate any country a CBERA beneficiary country, shall take into account—

(1) An expression by such country of its desire to be so designated;

(2) The economic conditions in such country, the living standards of its inhabitants, and any other economic factors which he deems appropriate;

(3) The extent to which such country has assured the United States it will provide equitable and reasonable access to the markets and basic commodity resources of such country;

(4) The degree to which such country follows the accepted rules of international trade provided for under the General Agreement on Tariffs and Trade, as well as applicable trade agreements approved under section 2(a) of the Trade Agreements Act of 1979;

(5) The degree to which such country uses export subsidies or imposes export performance requirements or local content requirements which distort international trade;

(6) The degree to which the trade policies of such country as they relate to other beneficiary countries are contributing to the revitalization of the region;

(7) The degree to which such country is undertaking self-help measures to promote its own economic development;

(8) Whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights.

(9) The extent to which such country provides under its law adequate and effective means for foreign nationals to secure, exercise, and enforce exclusive rights in intellectual property, including patent, trademark, and copyright rights;

(10) The extent to which such country prohibits its nationals from engaging in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent; and

(11) The extent to which such country is prepared to cooperate with the United States in the administration of the provisions of this title.

Interested parties are invited to submit comments on the application to

Suriname of some or all of these criteria for designation.

Public Comments

Interested parties must provide twelve copies of any comments, which must be in English and which must be received at USTR no later than 5 p.m., Thursday, October 30, 1997. If the comments contain business confidential information, ten copies of a non-confidential version must also be submitted. A justification as to why the information contained in the comments should be treated confidentially must be included in the comments. In addition, comments containing confidential information should be clearly marked "confidential" at the top of each page. The version that does not contain confidential information should be clearly marked "public version" or "non-confidential" at the top of each page.

Comments submitted in response to this notice, except for information granted "business confidential" status pursuant to 15 CFR 2007.7, will be available for public inspection shortly after the filing deadline, by appointment with the staff of the USTR Public Reading Room (202 395-6186).

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

[FR Doc. 97-26783 Filed 10-8-97; 8:45 am]

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Meeting of the Trade and Environment Policy Advisory Committee

AGENCY: Office of the United States Trade Representative.

ACTION: Notice that the October 21, 1997, meeting of the Trade and Environment Policy Advisory Committee will be held from 2:00 p.m. to 5:30 p.m. The meeting will be closed to the public from 2:00 p.m. to 5:00 p.m. The meeting will be open to the public from 5:00 p.m. to 5:30 p.m.

SUMMARY: The Trade and Environment Policy Advisory Committee will hold a meeting on October 21, 1996, from 2:00 p.m. to 5:30 p.m. The meeting will be closed to the public from 2:00 p.m. to 5:00 p.m. The meeting will include a review and discussion of current issues affecting U.S. trade policy. Pursuant to Section 2155(f)(2) of Title 19 of the United States Code, I have determined that this portion of the meeting will be concerned with matters the disclosure of which would seriously compromise

the development by the United States Government of Trade policy, priorities, negotiating objectives or bargaining positions with respect to the operation of any trade agreement and other matters arising in connection with the development, implementation and administration of the trade policy of the United States. Those wishing to submit written comments on the meeting may submit them to Bill Daley, Jr., Office of the U.S. Trade Representative, 600 Seventeenth Street, N.W., Washington, D.C. 20508.

DATES: The meeting is scheduled for October 21, 1997, unless otherwise notified.

ADDRESSES: The meeting will be held at the Jefferson Hotel, 16th and M Streets, Washington, D.C., unless otherwise notified.

FOR FURTHER INFORMATION CONTACT: Bill Daley, Jr., Office of Intergovernmental Affairs and Public Liaison, Office of the United States Trade Representative, (202) 395-6120.

Charlene Barshefsky,

United States Trade Representative.

[FR Doc. 97-26847 Filed 10-8-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33470]

Central Kansas Railway, L.L.C.—Lease Exemption—Union Pacific Railroad Company

Central Kansas Railway, L.L.C. (CKR), a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease from Union Pacific Railroad Company (UP) and operate two rail lines totaling approximately 170.7 miles: (1) Between milepost 747.5, at Towner, CO, and milepost 491.20, at Bridgeport, KS; and

(2) Between milepost 530.6, at Lindsborg, KS, and milepost 545.0, at Sid, KS.

In conjunction with the lease of these lines, CKR will acquire incidental overhead trackage rights over UP's 6.30-mile rail line between milepost 545.0, at Sid, KS, and milepost 551.30, at Salina, KS.

The transaction is expected to be consummated on or after October 3, 1997.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of