

January 19, 1996, the Commission approved a proposed rule change filed by Philadep to adopt a rule governing its authorization to release clearing data.³ Pursuant to the proposed rule change, Philadep designated the new rule as Rule 32. Because Philadep has designated another rule as Rule 32, Philadep proposes to renumber the foregoing rule governing the release of clearing data as Rule 33.

Philadep believes the proposed rule change is consistent with Section 17A of the Act⁴ and the rules and regulations thereunder because the proposal will help to provide clarity with regard to Philadep's rules which should promote the efficient clearance and settlement of securities transactions and the safeguarding of securities and funds in Philadep's custody or control or for which it is responsible.

(B) Self-Regulatory Organization's Statement on Burden on Competition

Philadep does not believe the proposed rule change will impose a burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Written comments were neither solicited nor received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Sections 19(b)(3)(A)(iii)⁵ of the Act and pursuant to Rules 19b-4(e)(3)⁶ promulgated thereunder because the proposal is concerned solely with the administration of Philadep. At any time within sixty days of the filing of such rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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 Room, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of Philadep. All submissions should refer to File No. SR-Philadep-96-05 and should be submitted by April 15, 1996.

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

Margaret H. McFarland,
Deputy Secretary.

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DEPARTMENT OF STATE

[Public Notice No. 2360]

**Defense Trade Advisory Group;
Renewal of Charter and Notice of
Upcoming Partially Closed Meeting**

The updated Charter of the Defense Trade Advisory Group (DTAG) has been renewed for a two-year period. The Charter was revised for clarification.

The DTAG will meet beginning at 10:00 A.M. on Thursday, May 16, 1996 in the Loy Henderson Conference Room, U.S. Department of State, 2201 C Street, N.W., Washington, D.C. 20520. This advisory committee consists of private sector defense trade specialists who advise the Department on policies, regulations, and technical issues affecting defense trade.

The DTAG will first meet in open session. The open session will include a speaker from the Department of Defense, as well as reports on DTAG Working Group progress, accomplishments, and future projects. Members of the public may attend the open session as seating capacity allows, and will be permitted to participate in the discussion in accordance with the Chairman's instructions.

As access to the Department of State is controlled, persons wishing to attend the meeting must notify the DTAG Executive Secretariat by COB Monday, May 6, 1996. If you notify the DTAG Secretariat after this date, the DTAG Secretariat cannot guarantee that State's Bureau of Diplomatic Security can complete the necessary background checks necessary for you to attend the May 16 plenary.

Each person should provide his/her name, company or organizational affiliation, date of birth, and social security number to the DTAG Secretariat at telephone number (202) 647-4231 or fax number (202) 647-4232 (*Attention: Unita Williams*). A list will be made up for Diplomatic Security and the Reception Desk at the C-Street diplomatic entrance. Attendees must carry a valid photo ID with them. They should enter the building through the C-Street diplomatic entrance (22nd and C Streets, N.W.), where Department personnel will direct them to the Loy Henderson auditorium.

Following the open portion of the meeting, briefings that the Department of State will arrange for DTAG members will involve discussions of classified and/or proprietary information pursuant to Executive Order 12958. The disclosure of classified and/or proprietary information essential to formulating U.S. defense trade policies would substantially undermine U.S. defense trade relations with foreign competitors. Therefore, these segments of the meeting will be closed to the public, pursuant to section 10(d) of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix and 5 U.S.C. 552b(c)(1), and 5 U.S.C. 552b(c)(9)(B).

For further information, contact Linda Lum of the DTAG Secretariat, U.S. Department of State, Office of Arms Transfer and Export Control Policy (PM/A TEC), Room 2422 Main State, Washington, D.C. 20520-2422. She may be reached at telephone number (202) 647-0137 or fax number (202) 647-4232.

Dated: March 8, 1996.

Martha C. Harris,

Deputy Assistant Secretary for Export Controls, Bureau of Political-Military Affairs.
[FR Doc. 96-7057 Filed 3-22-96; 8:45 am]

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³ For a complete description of the rule, refer to Securities Exchange Act Release No. 36743 (January 19, 1996), 61 FR 2551 [File No. SR-Philadep-95-06] (order approving a proposed rule change authorizing the release of clearing data).

⁴ 15 U.S.C. 78q-1 (1988).

⁵ 15 U.S.C. 78s(b)(3)(A)(iii) (1988).

⁶ 17 CFR 240.19b-4(e)(3) (1995).

⁷ 17 CFR 200.30-3(a)(12) (1995).

**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE****WTO Dispute Settlement Proceedings
Concerning U.S. Restrictions on
Cotton and Manmade Fiber Underwear
from Costa Rica**

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 a dispute settlement panel convened under the Agreement Establishing the World Trade Organization (WTO) at the request of Costa Rica will examine a U.S. transitional safeguard restriction on cotton and man-made fiber underwear imports from Costa Rica (category 352/652) applied pursuant to the Uruguay Round Agreement on Textiles and Clothing (ATC). 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 April 22, 1996 in order to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to the Office of the General Counsel, Attn: Costa Rica Underwear Dispute, Room 223, Office of the U.S. Trade Representative, 600 17th Street, N.W. Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: Alicia Greenidge, Special Counsel, at (202) 395-3026 or Demetri Boutris, Associate General Counsel, at (202) 395-3150, Office of the U.S. Trade Representative, 600 17th Street, N.W. Washington, DC 20506.

SUPPLEMENTARY INFORMATION: At the request of Costa Rica, a WTO dispute settlement panel will examine whether the United States application of a transitional safeguard on Costa Rican imports of cotton and man-made fiber underwear is consistent with U.S. obligations under the ATC. Effective June 23, 1995, the United States applied a restriction on imports of cotton and man-made fiber underwear from Costa Rica (category 352/652) (60 FR 32653, June 23, 1995). The U.S. took this action because it determined that such imports were contributing to serious damage or actual threat thereof to the U.S.

industry. The U.S. applied the restriction in accordance with Article 6.10 of the ATC, which provides that members taking unilateral action must do so within 30 days after a 60 day consultation period, which did not result in agreement. Pursuant to Article 6.10 of the ATC, the WTO Textiles Monitoring Body (TMB) automatically reviewed the case. After its examination of the case, the TMB determined that there was no serious damage to U.S. industry. However, the TMB reached a deadlock on the issue of threat of serious damage, it recommended further consultations between the U.S. and Costa Rica. No mutual solution was reached in those consultations and upon examination of the reports of the two countries, the TMB confirmed its earlier findings. Costa Rica requested consultations under Articles 4 of the WTO Dispute Settlement Understanding (DSU) and Article XXIII of GATT 1994. Consultations were held on January 18, 1996 and February 1, 1996. No mutual solution was reached during those consultations and Costa Rica requested panel review under the DSU on February 22, 1996.

Members of the panel are currently being selected. The panel will meet with the parties to the dispute twice at WTO headquarters in Geneva, Switzerland to examine the dispute. The panel is expected to issue a report detailing its findings and recommendations in six to nine months.

**Major Issues Raised by Costa Rica and
Alleged Legal Basis of the Complaint**

Costa Rica has asserted that U.S. safeguard action is incompatible with the ATC, particularly Articles 2, 6, and 8; that the action directly or indirectly nullifies or impairs Costa Rica's WTO benefits, particularly under the ATC; and therefore, the U.S. must rescind the measure.

**Public Comment: Requirements for
Submissions**

Interested persons are invited to submit written comments concerning the issues raised in the dispute. The provisions of 15 CFR 2006.13 (a) and (c) providing that comments received will be open to public inspection) and 2006.15 will apply to comments received. Comments must be in English and provided in fifteen copies. Pursuant to 15 CFR 2006.15, confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page.

Pursuant to section 127(e) of the URAA, USTR will maintain a public file on this dispute settlement proceeding,

which will include a list of comments received, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, DC 20506. An appointment to review the docket (Docket WTO/D/96-1, "Costa Rica-United States: U.S. Safeguard Restrictions on Underwear") may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

Irving Williamson,

Acting General Counsel.

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DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety
Administration**

[Docket No. 96-025; Notice 1]

**Notice of Receipt of Petition for
Decision that Nonconforming 1990
Mercedes-Benz 500SEL Passenger
Cars Are Eligible for Importation**

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1990 Mercedes-Benz 500SEL passenger cars are eligible for importation.

SUMMARY: This notice announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that a 1990 Mercedes-Benz 500SEL that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because (1) it is substantially similar to a vehicle that was originally manufactured for importation into and sale in the United States and that was certified by its manufacturer as complying with the safety standards, and (2) it is capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is April 24, 1996.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9:30 am to 4 pm].

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).