

located in the contiguous counties of Delta, Franklin, Hopkins, Lamar, and Titus in the State of Texas, and Choctaw County, Oklahoma may be filed until the specified date at the previously designated location.

Any counties contiguous to the above-named primary county and not listed herein have been previously declared.

All other information remains the same, i.e., the deadline for filing applications for physical damage is July 4, 1999, and for economic injury the deadline is February 7, 2000.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: May 18, 1999.

Herbert L. Mitchell,

Acting Associate, Administrator for Disaster Assistance.

[FR Doc. 99-13584 Filed 5-27-99; 8:45 am]

BILLING CODE 8025-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D-160]

WTO Dispute Settlement Proceeding Regarding Section 110(5) of the U.S. Copyright Act

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative ("USTR") is providing notice of the request for the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization ("WTO"), by the European Communities (the "EC"), to examine section 110(5) of the U.S. Copyright Act. In this dispute, the EC alleges that section 110(5) is inconsistent with obligations of the United States under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights. The USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although the USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted by June 21, 1999, to be assured of timely consideration by the USTR in preparing its final written submission to the panel.

ADDRESSES: Comments may be submitted to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: U.S.—Section 110(5) Dispute, Office of the United States Trade Representative, 600

17th Street, NW., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT:

Mélida N. Hodgson, Associate General Counsel, (202) 395-3582; Claude Burcky, Director of Intellectual Property, (202) 395-6864.

SUPPLEMENTARY INFORMATION: Pursuant to section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the USTR is providing notice that on April 15, 1999, the EC submitted a request for the establishment of a WTO dispute settlement panel to examine section 110(5) of the U.S. Copyright Act, which provides that, under certain conditions, the communication of musical works via a radio or television by certain establishments shall not constitute copyright infringement. The WTO Dispute Settlement Body ("DSB") will establish a panel for this purpose on May 26, 1999.

Major Issues Raised and Legal Basis of the Complaint

The EC alleges that Section 110(5), as amended by the Fairness in Music Licensing Act of 1998, violates Article 9(1) of the TRIPS Agreement, which incorporates articles 1 to 21 of the Berne Convention for the Protection of Literary and Artistic Works (the "Berne Convention"). More specifically, the EC alleges that section 110(5) is inconsistent with Articles 11(1) and 11bis(1) of the Berne Convention which grants authors of literary and artistic works, including musical works, certain exclusive rights. Section 110(5) provides under subparagraph (A) that the communication of a transmission embodying a performance or display of a work by the public reception of the transmission on a single receiving apparatus of a kind commonly used in private homes is not an infringement of copyright unless a direct charge is made to see or hear the transmission, or the transmission thus received is further transmitted to the public. Subparagraph (B) of section 110(5) provides that, under certain conditions relating, *inter alia*, to the size of the establishment and the number of loudspeakers or audiovisual devices, the communication by an establishment of a transmission or retransmission embodying a performance or display of a nondramatic musical work intended to be received by the general public, originated by a licensed radio or television broadcast station, is not an infringement of copyright.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues in this dispute. Comments must be in English and provided in fifteen copies to Sandy McKinzy at the address provided above. 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 submitting person. 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 the 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 submitting person believes that information or advice may qualify as such, the submitting person—

(1) Must so designate the 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)), the 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, NW., Washington, DC 20508. The public file will include a listing of any comments received by the 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 parties 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-160, United States—Section 110(5) of the U.S. Copyright Act) 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. James Bradley,

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

[FR Doc. 99-13557 Filed 5-27-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-99-13]

Petitions for Exemption; Summary of Petitions Receiving; Disposition of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before June 21, 1999.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. ____, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: 9-NPRM-cmts@faa.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Cherie Jack (202) 276-7271 or Terry Stubblefield (202) 267-7624 Office of

Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on May 24, 1999.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 28834.

Petitioner: LifePort, Inc.

Section of the FAR Affected: 14 CFR 25.562 and 25.785(b).

Description of Relief Sought: To exempt LifePort, Inc., from the requirement of 14 CFR 25.562 and 14 CFR 25.785(b) to permit certification of medical stretchers for transport of persons whose medical condition dictates such accommodations on the Dassault Model Falcon 2000.

Docket No.: 29435.

Petitioner: Point Adventure Lodge and Iliamna Air Guides.

Section of the FAR Affected: 14 CFR 135.267(f).

Description of Relief Sought: To permit IAG to realign its calendar quarters by 1 month from quarters ending in June 30 and September 30, to quarters ending in July 31 and October 31, respectively, to meet the flight crewmember rest requirements of 14 CFR 135.267(f).

Docket No.: 29471.

Petitioner: Terry L. Florie.

Section of the FAR Affected: 14 CFR 61.213(a)(3).

Description of Relief Sought: To permit Mr. Florie to be eligible for a ground instructor certificate or rating without passing the knowledge test on the fundamentals of instructing required by 14 CFR 61.213(a)(3).

Docket No.: 29500.

Petitioner: Alaska's Enchanted Lake Lodge, Inc.

Section of the FAR Affected: 14 CFR 135.267(f).

Description of Relief Sought: To permit AELL to adjust its calendar quarters by 1 month from quarters ending in June 30, to quarters ending in July 31, as to allow AELL pilots to meet the flight crewmember rest requirements of 14 CFR 135.267(f).

Docket No.: 29503.

Petitioner: Delta Air Lines, Inc.

Section of the FAR Affected: 14 CFR 121.344(b)(3).

Description of Relief Sought: To permit Delta to continue to operate its Lockheed L-1011 TriStar and Boeing Model 727 aircraft scheduled to be

retired from service before the August 20, 2001, compliance deadline for installation of digital flight data recorders (DFDRs), without installing the approved DFDRs at the next heavy maintenance check for those aircraft after August 18, 1999.

Docket No.: 29534.

Petitioner: Freshwater Adventure, Inc.

Section of the FAR Affected: 14 CFR 91.323(b)(4).

Description of Relief Sought: To permit FWA to operate its Grumman Goose G-21A amphibian aircraft at a weight that is in excess of that airplane's maximum certificated weight.

Dispositions of Petitions

Docket No.: 26936.

Petitioner: Woods Air Fuel, Inc.

Section of the FAR Affected: 14 CFR 91.9(a).

Description of Relief Sought/Disposition: To permit WAF to operate certain aircraft without complying with the zero fuel and landing weight requirements of the operating limitations prescribed for the aircraft in the FAA-approved flight manual.

Grant, 5/7/99, Exemption No. 6892

[FR Doc. 99-13641 Filed 5-27-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 99-03-C-00-PLB To Impose/Use the Revenue From a Passenger Facility Charge (PFC) at Clinton County Airport, Plattsburgh, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose/use the revenue from a PFC at Clinton County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before June 28, 1999.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530.

In addition, one copy of any comments submitted to the FAA must