

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 the Phlx. All submissions should refer to File No. SR-Phlx-2002-32 and should be submitted by June 12, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>15</sup>

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

[FR Doc. 02-12806 Filed 5-21-02; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### [Public Notice 4023]

#### Determination and Certification Under Section 40A of the Arms Export Control Act

Pursuant to section 40A of the Arms Export Control Act (Public Law 90-629), as added by section 330 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) (22 U.S.C. 2771 *et seq.*), and Executive Order 11958, as amended, I hereby determine and certify to the Congress that the following countries are not cooperating fully with United States antiterrorism efforts:

Cuba  
Iran  
Iraq  
Libya  
North Korea  
Sudan  
Syria

This determination and certification shall be transmitted to the Congress and published in the **Federal Register**.

Dated: May 15, 2002.

**Richard L. Armitage,**  
*Deputy Secretary of State, Department of State.*

[FR Doc. 02-12826 Filed 5-21-02; 8:45 am]

**BILLING CODE 4710-10-P**

## DEPARTMENT OF STATE

### Overseas Buildings Operations

#### [Public Notice 3985]

#### Industry Advisory Panel Meeting Notice

The Industry Advisory Panel of Overseas Buildings Operations will meet on Wednesday, June 19, 2002 from

9:45 until 11:45 a.m. and 1:00 until 3:30 p.m. Eastern Standard Time. The meeting will be held in conference room 1408 at the Department of State, 2201 C Street NW (entrance on 23rd Street), Washington, D.C. The purpose of the meeting is to discuss new technologies and successful management practices for design, construction, security, property management, emergency operations, the environment, and planning and development. An agenda will be available prior to the meeting.

The meeting will be open to the public, however, seating is limited. Prior notification and a valid photo ID are mandatory for entry into the building. Members of the public who plan to attend must notify Sandra Piech at 703/516-1968 before Wednesday, June 12, to provide date of birth, Social Security number, and telephone number.

**FOR FURTHER INFORMATION CONTACT:**  
Sandra J. Piech 703/516-1968.

Dated: May 15, 2002.

**Charles E. Williams,**  
*Director/Chief Operating Officer, Overseas Buildings Operations, Department of State.*  
[FR Doc. 02-12825 Filed 5-21-02; 8:45 am]

**BILLING CODE 4710-24-P**

## DEPARTMENT OF STATE

### [Public Notice 4026]

#### Universal Postal Union Issues

**AGENCY:** Department of State.

**ACTION:** Notice of Briefing.

The Department of State will host a briefing on Thursday, June 13, 2002, to provide an update on recent decisions and reform initiatives at the Universal Postal Union (UPU).

The briefing will be held from 2 p.m. until approximately 4 p.m., on June 13, 2002, in Room 1406 of the Department of State in Washington, DC. The briefing will be open to the public up to the capacity of the meeting room.

The briefing will provide information on the results of the recent meetings of the Postal Operations Council and the new UPU private-sector Advisory Group, as well as on the status of UPU terminal dues, extra-territorial offices of exchange (ETOEs), customs issues and postal security coordination with the UPU. The briefing will be chaired by Ambassador E. Michael Southwick of the Department of State.

Entry to the Department of State building is controlled and will be facilitated by advance arrangements. In order to arrange admittance, persons desiring to attend the briefing should,

no later than noon on June 11, 2002, notify the Office of Technical and Specialized Agencies, Bureau of International Organization Affairs, Department of State, preferably by fax, providing the name of the meeting and the individual's name, Social Security number, date of birth, professional affiliation, address and telephone number. The fax number to use is (202) 647-8902. Voice telephone is (202) 647-1044. This request applies to both government and non-government individuals.

All attendees must use the Department of State entrance on 23rd Street, between C and D Streets, N.W. For security reasons, C Street is closed to vehicular traffic, but taxis may reach the 23rd Street entrance. One of the following means of identification will be required for admittance: any U.S. driver's license with photo, a passport, or any U.S. Government agency identification card. Questions concerning the briefing may be directed to Mr. Neil Boyer at (202) 647-1044 or via email at [boyerna@state.gov](mailto:boyerna@state.gov).

Dated: May 16, 2002.

**Margaret C. Jones,**  
*Director, Office of Technical and Specialized Agencies, Bureau of International Organization Affairs, Department of State.*  
[FR Doc. 02-12827 Filed 5-21-02; 8:45 am]

**BILLING CODE 4710-19-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Applications of Aerodynamics, Inc., for Issuance of New Certificate Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause Order Dockets OST-01-10985 and OST-01-10986.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue orders finding Aerodynamics, Inc., fit, willing, and able and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property and mail as a certificated air carrier.

**Responses:** Objections and answers to objections should be filed in Dockets OST-01-10985 and OST-01-10986 and addressed to the Department of Transportation Dockets, PL-401, 400 Seventh Street, SW., Washington, DC 20590, and should be served on all persons listed in Attachment A to the order. Persons wishing to file objections

<sup>15</sup> 17 CFR 200.30-3(a)(12).

should do so no later than May 29, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mr. James Lawyer, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-1064.

Dated: May 16, 2002.

**Read C. Van De Water,**

*Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 02-12735 Filed 5-21-02; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Publication of Index of Administrator's Decisions and Orders in Civil Penalty Actions; Discontinuation Notice

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of discontinuation of publication of index.

**SUMMARY:** The agency will no longer publish in the **Federal Register** an index of the Administrator's civil penalty decisions and orders. The agency has determined that such publication is unnecessary and impracticable, given that indexes of the decisions and orders are now available on the agency's Internet website and through commercial publishers. The agency will continue to provide copies of the index to members of the public upon request.

**FOR FURTHER INFORMATION CONTACT:** Vicki Leemon, Manager, Adjudication Branch (AGC-430), Federal Aviation Administration, 400 7th Street, SW., Suite PL 200-A, Washington, DC 20590, Telephone: (202) 366-4118.

**SUPPLEMENTARY INFORMATION:** In 49 U.S.C. 46301, Congress authorized the FAA Administrator to assess civil penalties against those who violate the FAA's governing status or any regulations issued under that statute. Likewise, in 49 U.S.C. 5123, Congress authorized the Administrator to assess civil penalties against those who violate the Federal hazardous materials transportation statute or the hazardous materials regulations. Under the rules of practice governing hearings and appeals of civil penalty actions (14 CFR part 13, subpart G), the Administrator or the Administrator's delegate is designated as the FAA decisionmaker to review and decide appeals of initial decisions issued by administrative law judge who hold adjudicatory hearings in these civil penalty actions. The Administrator, as

the decisionmaker, issues the final decisions and orders of the agency in these cases.

The Administrative Procedure Act (APA) requires Federal agencies to publish, at least quarterly, current indexes of the agencies' final opinions and orders. 5 U.S.C. 552(a)(2)(A) and (E). To this end, since October 31, 1990, the FAA has published indexes of the agency's final opinions and orders in civil penalty cases in the **Federal Register**. The agency published the last index in the **Federal Register** on January 23, 2001. 66 FR 7532, January 23, 2001.

The APA provides one exception to the requirement that agencies publish indexes of final agency orders and decisions. The exception is for situations in which the agency determines by order published in the **Federal Register** that publication of the indexes is unnecessary and impracticable. 5 U.S.C. 552(a)(2)(E).

Since the FAA began publishing indexes of the Administrator's civil penalty decisions and orders in 1990, the agency has created a website on the Internet that contains the indexes and other resources. The address for the website is: [www.faa.gov/agc/cpwebsite](http://www.faa.gov/agc/cpwebsite).

The FAA is making available through its website more information than has been included in the quarterly indexes in the **Federal Register**. The website includes all of the Administrator's decisions in FAA civil penalty cases. In addition, the website provides access to cumulative indexes of decisions and orders by: (1) Case name; (2) order number; (3) subject matter; and (4) regulation. The website has information about civil penalty cases appealed to Federal courts of appeals or Federal district courts, as well as information about the FAA Hearing Docket and the Department of Transportation's Docket Management System. The Administrator's delegations of authority to FAA officials, the Rules of Practice in Civil Penalty Cases, and other pertinent information are also available on the website. The FAA updates the website on a monthly basis.

A number of commercial publishers also publish indexes of the Administrator's orders and decisions. Two such publications are *Federal Aviation Decisions*, which is published by Clark Boardman Callaghan, a subsidiary of West Group, 50 Broad Street East, Rochester, NY 14694, Telephone: (716) 546-1490; and *Hawkins Civil Penalty Cases Digest Service*, published by Hawkins Publishing Company, PO Box 480, Mayo, MD 21106, Telephone: (410) 798-1677. The electronic databases LEXIS (TRAN library, FAA file), WestLaw (F-

TRAN library), CompuServe, and FedWorld include the Administrator's civil penalty orders and decisions. Finally, the Administrator's civil penalty orders and decisions are available on CD-ROM through Aeroflight Publications, PO Box 854, 433 Main Street, Gruver, TX 79040, Telephone: (806) 733-2483.

Given the time and resources that the agency is now expending in updating the civil penalty website, and given that indexes of the orders and decisions are readily available through the website and other sources, the agency has determined that it is unnecessary and impracticable to continue publishing the indexes in the **Federal Register**. The agency will, however, provide copies of the indexes upon request, as required by 5 U.S.C. 552(a)(2)(E). Persons wishing copies of the indexes should contact Vicki Leemon, Manager, Adjudication Branch (AGC-430), Federal Aviation Administration, 400 7th Street, SW., Suite PL 200-A, Washington, DC 20590, Telephone: (202) 366-4118.

Issued in Washington, DC on May 15, 2002.

**David G. Leitch,**  
*Chief Counsel.*

[FR Doc. 02-12856 Filed 5-21-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at East Texas Regional (formerly Gregg County) Airport, Longview, TX

**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 and use the revenue from a PFC at East Texas Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before June 21, 2002.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate copies of the FAA at the following address: Mr. G. Thomas Wade, Federal Aviation Administration, Southwest Region, Airports Division,