

when due, and (2) the unpaid balance of that payment (including interest), when added to the aggregate unpaid balance of all preceding payments for which payment was not made when due (including interest), exceeds \$1 million. (For this purpose, a plan is underfunded if its funded current liability percentage is less than 100 percent.) The lien is upon all property and rights to property belonging to the person or persons who are liable for required contributions (*i.e.*, a contributing sponsor and each member of the controlled group of which that contributing sponsor is a member).

Only the PBGC (or, at its direction, the plan's contributing sponsor or a member of the same controlled group) may perfect and enforce this lien. Therefore, ERISA and the Code require persons committing payment failures to notify the PBGC within 10 days of the due date whenever there is a failure to make a required payment and the total of the unpaid balances (including interest) exceeds \$1 million.

PBGC Form 200, Notice of Failure to Make Required Contributions, and related filing instructions, implement the statutory notification requirement. Submission of Form 200 is required by 29 CFR 4043.81.

The collection of information under the regulation has been approved through January 31, 2003, by OMB under control number 1212-0041. The PBGC intends to request that OMB extend approval for another three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The PBGC estimates that it will receive 30 Form 200 filings per year under this collection of information. The PBGC further estimates that the average annual burden of this collection of information is 64.5 hours and \$12,900.

The PBGC is soliciting public comments to—

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the

use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Issued in Washington, DC, this 12th day of September, 2002.

**Stuart Sirkin,**

*Director, Corporate Policy and Research  
Department, Pension Benefit Guaranty  
Corporation.*

[FR Doc. 02-23689 Filed 9-17-02; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-46491; File No. SR-CHX-2002-23]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Stock Exchange, Incorporated Relating to Membership Dues and Fees

September 11, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 30, 2002, the Chicago Stock Exchange, Incorporated ("CHX" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the CHX. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CHX proposes to amend its membership dues and fees schedule ("Schedule"), effective July 2002, to reduce the fixed fee charged to specialists trading Nasdaq/NM securities. The text of the proposed rule change is available upon request from the Office of the Secretary, CHX, and the Commission.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the CHX included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed

rule change. The text of these statements may be examined at the places specified in Item IV below. The CHX has prepared summaries, set forth in Sections A, B and C below, of the most significant aspects of such statements.

#### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The proposed rule change amends the Schedule by reducing the fixed fees charged specialists who trade Nasdaq/NM securities. Specifically, the proposal would charge a monthly fixed fee for each specialist firm trading Nasdaq/NM securities, calculated by taking the lowest monthly fixed fee charged that firm for the period January through June 2002, and reducing it by the Nasdaq/NM market data rebates earned by the firm in June 2002. This fee would first be applied for the month of July 2002 and thus would be included in monthly bills distributed in September 2002. The Exchange currently anticipates that the fee would remain in effect until December 31, 2002, but recognizes that it might be changed for a variety of reasons, such as to accommodate the entry of a new member firm into the trading of Nasdaq/NM Securities.<sup>3</sup>

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)(4) of the Act in that it provides for the equitable allocation of reasonable dues, fees and other charges among its members.

#### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

#### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were either solicited or received.

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

Because the foregoing rule change establishes or changes a due, fee, or

<sup>3</sup> If a firm that has not previously traded Nasdaq/NM securities seeks, and receives, an appointment to act as specialist for one or more of those securities, that firm could not be charged a fee under this proposal until a new fee has been approved by the Exchange's Finance Committee and the Board.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

other charge imposed by the Exchange, it has become effective pursuant to Section 19(b)(3)(A) of the Act and subparagraph (f)(2) of Rule 19b-4 thereunder. At any time within 60 days of the filing of the proposed 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.<sup>4</sup>

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. 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. Copies of such filing will also be available for inspection and copying at the principal office of the CHX. All submissions should refer to File No. SR-CHX-2002-23 and should be submitted by October 9, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

Margaret H. McFarland,  
Deputy Secretary.

[FR Doc. 02-23722 Filed 9-17-02; 8:45 am]  
BILLING CODE 8010-01-P

#### DEPARTMENT OF STATE

[Public Notice 4128]

##### Culturally Significant Object Imported for Exhibition Determinations: "Deceptions and Illusions: Five Centuries of Trompe L'Oeil Painting"

**AGENCY:** Department of State.  
**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to

the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, I hereby determine that the objects to be included in the exhibition "Deceptions and Illusions: Five Centuries of Trompe L'Oeil Painting," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owners. I also determine that the exhibition or display of the exhibit objects at The National Gallery of Art, Washington, DC from on or about October 13, 2002 to on or about March 2, 2003, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, contact Orde F. Kittrie, Attorney-Adviser, Office of the Legal Adviser, Department of State, (telephone: 202/401-4779). The address is Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: September 11, 2002.

Patricia S. Harrison,  
Assistant Secretary for Educational and Cultural Affairs, Department of State.  
[FR Doc. 02-23809 Filed 9-17-02; 8:45 am]  
BILLING CODE 4710-08-P

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration (FAA)

##### Notice of Opportunity for Public Comment on Surplus Property Release at George M. Bryan Field Airport, Starkville, Mississippi

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

**ACTION:** Notice of intent to rule on land release request.

**SUMMARY:** Under the provisions of Title 49, U.S.C. Section 47135(c), notice is being given that the FAA is considering a request from the City of Starkville to waive the requirement that a 0.77 acre parcel of surplus property, located at the George M. Bryan Field Airport, be used for aeronautical purposes.

**DATES:** Comments must be received on or before October 18, 2002.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Jackson Airports District Office, 100 West Cross Street, Suite B, Jackson, MS 39208-2307.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to the The Honorable Mack D. Rutledge, Mayor of Starkville, Mississippi at the following address: City Hall, 101 Lampkin Street, Starkville, MS 38902-0310.

**FOR FURTHER INFORMATION CONTACT:** David Shumate, Program Manager, Jackson Airports District Office, 100 West Cross Street, Suite B, Jackson, MS 39208-2307, (601) 664-9882. The land release request may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA is reviewing a request by City of Starkville, MS to release 0.77 acres of surplus property at the George M. Bryan Field Airport. The City of Starkville will acquire the property for fair market value and construct a public-use road on it. The property is located on the West side of the airport.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at the City of Starkville, Mississippi.

Issued in Jackson, Mississippi on September 10, 2002.

Wayne Atkinson,  
Manager, Jackson Airports District Office, Southern Region.  
[FR Doc. 02-23710 Filed 9-17-02; 8:45 am]  
BILLING CODE 4910-13-M

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### Commercial Space Transportation Advisory Committee—Open Meeting

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

**ACTION:** Notice of Commercial Space Transportation Advisory Committee open meeting. [Please Note: New Location for COMSTAC meeting]

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, October 31, 2002, from 8 a.m. to 4:30

<sup>4</sup> 15 U.S.C. 78s(b)(3)(C).

<sup>5</sup> 17 CFR 200.30-3(a)(12).