

U.S.C. 924(c) (including a crime of violence or drug trafficking crime that provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) in which the defendant used body armor. The Act further states that it is the sense of Congress that any such enhancement should be at least two levels. The Commission requests comment regarding how it should respond to this directive. For example, should the Commission provide a Chapter Three adjustment for the use of body armor in any crime of violence or drug trafficking crime? Alternatively, should the Commission provide a specific offense characteristic in all relevant chapter two guidelines (e.g., § 2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy)) that would apply if the defendant used body armor in the course of the offense?

What would be an appropriate increase for the use of body armor if the Commission provides a chapter three adjustment or a specific offense characteristic in the relevant chapter two guidelines?

2. Section 11008 of the Act directs the Commission to review and amend, if appropriate, the guidelines or policy statements to provide an appropriate enhancement for offenses involving influencing, assaulting, resisting, impeding, retaliating against, or threatening a Federal judge, magistrate judge, or any other official described in 18 U.S.C. 111 or 115. The directive also contains a number of factors for the Commission to consider, including the range of conduct covered by the offenses, the existing sentence for the offense, the extent to which the guidelines for these offenses have been constrained by statutory maximum penalties, and the adequacy of the guidelines to ensure punishment at or near the maximum penalty for the most egregious conduct covered by the offense. The Act also increases the statutory maximum terms of imprisonment for the following offenses: For threatened assaults under 18 U.S.C. 115 (Influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member), from three years to six years; for all other threats made in violation of 18 U.S.C. 115, from five years to ten years; for a violation of 18 U.S.C. 111 (Assaulting, resisting, or impeding certain officers or employees), from three years to eight years; and for the use of a dangerous weapon or inflicting bodily injury in the commission of an

offense under 18 U.S.C. 111, from 10 to 20 years.

Appendix A (Statutory Index) references 18 U.S.C. 111 to 2A2.2 (Aggravated Assault) and 2A2.4 (Obstructing or Impeding Officers). These guidelines have base offense levels of 15 and 6, respectively. Section 115 of title 18, United States Code, is referenced to, among other guidelines, §§ 2A2.1 (Assault with Intent to Commit Murder; Attempted Murder), 2A2.2, and 2A2.3 (Minor Assault). The base offense level for § 2A2.1 is level 28 (if the object of the offense would have constituted first degree murder) or level 22. The base offense level for § 2A2.3 is level 6 (if the conduct involved physical contact, or if a dangerous weapon was possessed or its use was threatened) or level 3.

Given the directive, the factors to consider, and the increases in the statutory maximum penalties, the Commission requests comment regarding the following:

(A) Should the Commission provide an enhancement in the assault guidelines for offenses involving influencing, assaulting, resisting, impeding, retaliating against, or threatening a Federal judge, magistrate judge, or any other official described in 18 U.S.C. 111 or 115? If so, what would be an appropriate increase for such enhancement? Are there additional, related enhancements that the Commission should provide in the assault guidelines, particularly given the directive to consider providing sentences at or near the statutory maximum for the most egregious cases?

(B) Do the current base offense levels in each of the assault guidelines provide adequate punishment for the covered conduct? If not, what would be appropriate base offense levels for §§ 2A2.2, 2A2.3, and 2A2.4?

(C) Should the Commission consider more comprehensive amendments to the assault guidelines as part of, or in addition to, its response to the directives? For example, should the Commission consolidate §§ 2A2.3 and 2A2.4? Should the Commission amend § 2A2.3(b)(1) to provide a two level enhancement for bodily injury? Some commentators have argued that such an amendment would bring the minor and aggravated assault guidelines more in line with one another because there may be cases in which an assault that does not qualify as an aggravated assault under § 2A2.2 nevertheless involves bodily injury. Are there any other application issues pertaining to the

assault guidelines that the Commission should address?

[FR Doc. 02-31869 Filed 12-17-02; 8:45 am]

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## DEPARTMENT OF STATE

### [Public Notice 4199]

#### Overseas Schools Advisory Council; Notice of Meeting

The Overseas Schools Advisory Council, Department of State, will hold its Executive Committee Meeting on Thursday, January 23, 2003, at 9:30 a.m. in Conference Room 1105, Department of State Building, 2201 C Street, NW., Washington, DC. The meeting is open to the public.

The Overseas Schools Advisory Council works closely with the U.S. business community in improving those American-sponsored schools overseas, which are assisted by the Department of State and which are attended by dependents of U.S. Government families and children of employees of U.S. corporations and foundations abroad.

This meeting will deal with issues related to the work and the support provided by the Overseas Schools Advisory Council to the American-sponsored overseas schools. The agenda includes a review of the recent activities of American-sponsored overseas schools and the overseas schools regional associations, a presentation on the status of education in the United States and its impact on American-sponsored overseas schools, and selection of projects for the 2003 program.

Members of the general public may attend the meeting and join in the discussion, subject to the instructions of the Chair. Admittance of public members will be limited to the seating available. Access to the State Department is controlled, and individual building passes are required for all attendees. Persons who plan to attend should so advise the office of Dr. Keith D. Miller, Department of State, Office of Overseas Schools, Room H328, SA-1, Washington, DC 20522-0132, telephone 202-261-8200, prior to January 13, 2003. Each visitor will be asked to provide a date of birth and Social Security number at the time of registration and attendance and must carry a valid photo ID to the meeting. All attendees must use the C Street entrance to the building.

Dated: December 10, 2002.

**Keith D. Miller,**

*Executive Secretary, Overseas Schools  
Advisory Council, Department of State.*

[FR Doc. 02-31850 Filed 12-17-02; 8:45 am]

**BILLING CODE 4710-24-P**

## DEPARTMENT OF STATE

### **Delegation of Authority 250; Further Assignment of Functions Under the Trade Act of 2002 ("Trade Act") to Other Departments and Agencies of the Executive Branch**

**AGENCY:** Department of State.

**ACTION:** Further assignment of functions.

**SUMMARY:** The Trade Act specifically granted the President certain authorities and assigned the President certain functions related to agreements covered by Trade Act provisions. In Executive Order No. 13277, the President assigned certain of these functions to the Secretary of State and provided guidance for performing those functions, including the further assignment of functions to officers of any other department or agency within the Executive Branch. This notice informs the public of the Secretary of State's further assignment of certain functions. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

**DATES:** These actions are effective immediately.

### **Further Assignment of Functions**

Pursuant to section 3(b)(ii) of Executive Order No. 13277, the Secretary of State hereby, as set forth below, further assigns certain functions of the Secretary of State under the Order. Departments and agencies shall carry out those functions in a manner that is supportive of agreements subject to the Trade Act.

(a) The functions of the President under section 2102(c)(2) of the Trade Act with respect to establishing consultative mechanisms assigned to the Secretary of State are further assigned to the Secretary of Labor and the United States Trade Representative, and shall be carried out collectively by the Secretary of State, the Secretary of Labor, and the United States Trade Representative.

(b) The functions of the President under section 2102(c)(3) of the Trade Act with respect to establishing consultative mechanisms assigned to

the Secretary of State are further assigned to the United States Trade Representative, and shall be carried out jointly by the Secretary of State and the United States Trade Representative. Such consultative mechanisms are those established through trade agreements subject to the Trade Act. This further assignment is without prejudice to the Secretary of State's responsibility for coordinating the operation of such mechanisms and obtaining the advice and assistance of any other agency as necessary and appropriate.

This further assignment of functions shall be published in the **Federal Register**.

Dated: December 10, 2002.

**Colin L. Powell,**

*Secretary of State, Department of State.*

[FR Doc. 02-31849 Filed 12-17-02; 8:45 am]

**BILLING CODE 4710-10-P**

## DEPARTMENT OF TRANSPORTATION

### **Office of the Secretary**

### **Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501, as amended), this notice announces the Department of Transportation's (DOT) intention to request the extension of a previously approved collection.

**DATES:** Comments on this notice must be received by January 17, 2003: attention DOT/OST Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Ms. Torlanda Archer, Office of the Secretary, Office of Aviation Analysis, U.S. Department of Transportation, (202) 366-2396, 400 7th Street, SW., Washington, DC 20590.

### **SUPPLEMENTARY INFORMATION:**

### **Office of the Secretary**

*Title:* Public Charter Rules.

*OMB Control Number:* 2106-0005.

*Affected Public:* Public Charter Operators.

*Annual Estimated Burden:* 1,343 hours.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance

of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC on December 12, 2002.

**Michael Robinson,**

*Information Resource Management,  
Department of Transportation.*

[FR Doc. 02-31889 Filed 12-17-02; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### **Office of the Secretary**

### **Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending December 6, 2002**

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under subpart B (formerly subpart Q) of the Department of Transportation's procedural regulations (*See* 14 CFR 301.201 *et. seq.*). The due date for answers, conforming applications, or motions to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2002-14027.

*Date Filed:* December 6, 2002.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* December 27, 2002.

*Description:* Application of Victory Air Transport, Inc., pursuant to 49 U.S.C. section 41102 and subpart B, requesting a certificate of public convenience and necessity authorizing Victory to engage in interstate charter air transportation of persons, property, and mail.

*Docket Number:* OST-2002-14028.

*Date Filed:* December 6, 2002.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* December 27, 2002.

*Description:* Application of Victory Air Transport, Inc., pursuant to 49