

Administration (SSA). Chapter S9 covers the Office of the General Counsel. Notice is given that there are organizational and functional changes within OGC. The changes are as follows:

#### **Section S9.00 The Office of the General Counsel—(Mission)**

*Replace in its entirety:*

The Office of the General Counsel advises the Commissioner on legal matters, is responsible for providing all legal advice to the Commissioner, Deputy Commissioner, and all subordinate organizational components (except OIG) of SSA in connection with the operation and administration of SSA. Responsible for the policy formulation and decision making related to the collection, access, and disclosure of such information in the records of the Social Security Administration; and processing of Freedom of Information requests and appeals (under the Freedom of Information and Privacy Acts).

#### **Section S9.10 The Office of the General Counsel—Organization**

*Retitle:*

B. The Principal Deputy General Counsel (S9) to The Deputy General Counsel (S9).

C. The Immediate Office of the General Counsel (S9A) which includes:

*Delete:*

1. The Deputy General Counsel (S9A-1).

*Renumber:*

2. The Executive Operations Staff (S9A-3) to 1. The Executive Operations Staff (S9A-3).

*Establish:*

G. The Office of Public Disclosure (S9).

*Reletter:*

H. The Offices of the Regional Chief Counsels (S9G-F1—S9G-FX).

#### **Section S9.20 The Office of the General Counsel—(Functions)**

*Replace in its entirety:*

B. The Deputy General Counsel (S9) assists the General Counsel in carrying out his/her responsibilities and performs other duties as the General Counsel may prescribe. In the event of the General Counsel's absence or disability, or in the event of a vacancy in the position of General Counsel, the Deputy General Counsel acts for him/her unless the Commissioner directs otherwise. The Deputy General Counsel also serves as the Designated Agency Ethics Official with responsibility for coordinating and managing the Social Security Administration's (SSA) ethics program.

*Replace in its entirety:*

C. The Immediate Office of the General Counsel (S9A) includes the Executive Operations Staff (S9A-3).

*Replace in its entirety:*

1. The Executive Operations Staff (S9A-3) provides internal organizational planning, management analysis and review, staff support and assistance to the General Counsel, Deputy General Counsel, OGC Executive Staff, OGC Executive Officer, and other OGC managers. Plans, develops, and coordinates OGC's financial, personnel, and administrative management regional offices. Plans, directs and provides day-to-day operational support services on all areas of administrative, budget, space and facilities, communications, and systems management. Identifies, coordinates, and implements OGC's training program. Formulates, justifies, and presents annual and multi-year budget submissions. Controls the collection, recording, and reporting of all financial, personnel, and administrative data in connection with budget and staffing formulation and executive functions.

*Replace in its entirety:*

D. The Office of General Law (S9B).

1. Provides legal services on business management activities and administrative operations throughout SSA, including procurement, contracting, patents, copyrights, budget, appropriations, personnel, ethics, adverse employment actions, employment discrimination, compensation, travel, personnel and tort claims by and against SSA, electronic service delivery, labor-management relations and Touhy requests.

2. Provides legal services and advice regarding SSA's civil defense, civil rights and security programs as well as for SSA's administration of the Freedom of Information and Privacy Acts and Computer Matching Agreements. Provides liaison with the Department of Justice on administering the Freedom of Information and Privacy Acts. Serves as liaison with the Comptroller General.

3. Working under the direction of the Designated Agency Ethics Official, provides liaison with the Office of Government Ethics, as appropriate.

4. Furnishes litigation support and litigation related advice to the Commissioner and all components of SSA in both administrative and court litigation in connection with each of the areas mentioned above. Represents SSA in all such litigation when such direct representation is authorized by law. In other cases, makes and supervises contacts with attorneys responsible for the conduct of such litigation.

*Establish:*

G. The Office of Public Disclosure (S9).

1. Develops and interprets SSA policy governing the collection, use, maintenance and disclosure of personally identifiable information under the Privacy Act and requests for information made under the provisions of the Freedom of Information Act (FOIA).

2. Develops national standards relating to the release and exchange of personal data in SSA databases to federal, state, and local agencies.

3. Assures Agency-wide sensitivity to the importance of privacy considerations in all situations involving disclosure of SSA data about individuals. Ensures necessary privacy protections are built into new systems and processes developed to deliver more efficient service to Agency customers.

4. Reviews Agency projects and initiatives to ensure compliance with the Privacy Act and related laws and regulations.

5. Examines public service issues related to handling various information requests from the public.

6. Acts on Privacy Act and FOIA appeals.

7. Directs FOIA activities in SSA, develops SSA's FOIA policies and procedures and prepares the Annual Report to Congress on these activities.

8. Reviews requests and determines whether records are required to be disclosed to members of the public.

9. Serves as the Agency focal point for all data sharing activities with outside organizations.

*Reletter:*

H. The Offices of Regional Chief Counsels (S9G-F1—S9G-FX).

Dated: October 1, 2002.

**Jo Anne B. Barnhart,**  
*Commissioner.*

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### **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

#### **Identification of Countries Under Section 182 of the Trade Act of 1974: Request for Public Comment**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Request for written submissions from the public.

**SUMMARY:** Section 182 of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2242), requires the United States Trade Representative (USTR) to identify

countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. (Section 182 is commonly referred to as the "Special 301" provisions in the Trade Act.) On April 30, 2002 USTR announced the results of the 2002 Special 301 review. As part of that announcement it was stated that several Out-of-Cycle Reviews (OCRs) would be conducted this fall.

USTR requests written comments from the public concerning the acts, policies, and practices of those trading partners that are relevant to the decision as to whether particular trading partners should be identified under Section 182 of the Trade Act. In addition, USTR is seeking comment on the United States Government's 1998 Memorandum of Understanding with Paraguay on intellectual property matters, including enforcement.

**DATES:** Submissions must be received on or before 12:00 noon on Wednesday, October 30, 2002.

**ADDRESSES:** All comments should be sent to Sybia Harrison, Special Assistant to the Section 301 Committee, at the following e-mail address: [FR0037@USTR.GOV](mailto:FR0037@USTR.GOV), with "Special 301 Out-of-Cycle Review" in the subject line. Please note, only electronic submissions will be accepted.

**FOR FURTHER INFORMATION CONTACT:** Kira Alvarez, Director for Intellectual Property, (202) 395-6864; or Victoria Espinel or Daniel Mullaney, Associate General Counsels, (202) 395-7305 or (202) 395-3581, Office of the United States Trade Representative.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 182 of the Trade Act, the USTR must identify those countries that deny adequate and effective protection for intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. Those countries that have the most onerous or egregious acts, policies, or practices and whose acts, policies or practices have the greatest adverse impact (actual or potential) on relevant U.S. products are to be identified as Priority Foreign Countries. Acts, policies or practices that are the basis of a country's designation as a Priority Foreign Country are normally the subject of an investigation under the Section 301 provisions of the Trade Act.

On April 30, 2002 USTR announced the results of the 2002 Special 301 review, including an announcement that several Out-of-Cycle Reviews (OCRs) would be conducted this fall. USTR is

presently conducting OCRs on: Croatia, Indonesia, Israel, Mexico, the Philippines, Poland, Qatar and Thailand. Additional countries may also be reviewed as a result of the comments received pursuant to this notice, or as warranted by events.

In addition, this fall, USTR is also reviewing its policy with regard to Paraguay, which is currently subject to monitoring. In 1998, Paraguay was designated as a Priority Foreign Country, which resulted in a nine-month Section 301 investigation. The investigation was terminated upon the negotiation of a Memorandum of Understanding ("MOU") between the United States and Paraguay on the enforcement and protection of intellectual property rights, and consequently Paraguay has been monitored annually under the provisions of Section 306 of the Trade Act. This MOU is subject to review by January 2003.

#### Requirements for Comments

USTR requests written comments on relevant countries concerning the acts, policies, and practices of those countries that are relevant to the decision as to whether particular trading partners should be identified under Section 182 of the Trade Act.

Comments should include a description of the problems experienced and the effect of the acts, policies and practices on U.S. industry. Comments should be as detailed as possible and should provide all necessary information for assessing the effect of the acts, policies and practices. Any comments that include quantitative loss claims should be accompanied by the methodology used in calculating such estimated losses.

With respect to Paraguay, USTR requests comments on whether the MOU has been effective in furthering the protection and enforcement of intellectual property rights in Paraguay consistent with Paraguay's international obligations, and on options for proceeding with respect to the upcoming review of the U.S.-Paraguay MOU.

Comments must be in English and sent electronically. No submissions will be accepted via postal service mail. A submitter requesting that information contained in a comment 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 submitter. Confidential business information must be clearly marked "business confidential" in a contrasting color ink at the top of each page of each

copy. A non-confidential version of the comment must also be provided.

All comments should be sent to Sybia Harrison, Special Assistant to the Section 301 Committee, at the following e-mail address: [FR0037@USTR.GOV](mailto:FR0037@USTR.GOV), with "Special 301 Out-of-Cycle Review" in the subject line. Please note, only electronic submissions will be accepted.

#### Public Inspection of Submissions

Within one business day of receipt, non-confidential submissions will be placed in a public file, open for inspection at the USTR reading room, Office of the United States Trade Representative, Annex Building, 1724 F Street, NW, Room 1, Washington, DC. An appointment to review the file may be made by calling Sybia Harrison at (202) 395-3419. The USTR reading room is open to the public from 10 a.m. to 12 noon and from 1 p.m. to 4 p.m., Monday through Friday.

**Kira M. Alvarez,**

*Director for Intellectual Property.*

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#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

#### Request for Comments and Notice of Public Hearing Concerning Proposed United States-Morocco Free Trade Agreement

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of intent to initiate negotiations on a free trade agreement between the United States and Morocco, request for comments, and notice of public hearing.

**SUMMARY:** The United States intends to initiate negotiations with Morocco on a free trade agreement. The interagency Trade Policy Staff Committee (TPSC) will convene a public hearing and seek public comment to assist the United States Trade Representative (USTR) in amplifying and clarifying negotiating objectives for the proposed agreement and to provide advice on how specific goods and services and other matters should be treated under the proposed agreement.

**DATES:** Persons wishing to testify orally at the hearing must provide written notification of their intention, as well as their testimony, by November 1, 2002. A hearing will be held in Washington, DC, beginning on November 21, 2002, and will continue as necessary on subsequent days. Written comments are due by noon, November 25, 2002.