

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.

**ADDRESSES:** Submissions by electronic mail:

*FR0039@ustr.gov* (notice of intent to testify and written testimony);

*FR0040@ustr.gov* (written comments).

*Submissions by facsimile:* Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-6143.

The public is strongly encouraged to submit documents electronically rather than by facsimile. (See requirements for submissions below.)

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning written comments or participation in the public hearing, contact Gloria Blue, Executive Secretary, Trade Policy Staff Committee, at (202) 395-3475. All other questions should be directed to Douglas Bell, Director North Africa, at (202) 395-4620.

#### **SUPPLEMENTARY INFORMATION:**

##### **1. Background**

Under section 2104 of the Bipartisan Trade Promotion Authority Act of 2002 (TPA Act) (19 U.S.C. 3804), for agreements that will be approved and implemented through TPA procedures, the President must provide the Congress with at least 90 days written notice of his intent to enter into negotiations and must identify the specific objectives for the negotiations. Before and after the submission of this notice, the President must consult with appropriate Congressional committees and the Congressional Oversight Group regarding the negotiations. Under the Trade Act of 1974, as amended, the President must (i) afford interested persons an opportunity to present their views regarding any matter relevant to any proposed agreement, (ii) designate an agency or inter-agency committee to hold a public hearing regarding any proposed agreement, and (iii) seek the advice of the U.S. International Trade Commission (ITC) regarding the probable economic effects on U.S. industries and consumers of the removal of tariffs and non-tariff barriers on imports pursuant to any proposed agreement.

On October 1, 2002, after consulting with relevant Congressional committees and the Congressional Oversight Group, the USTR notified the Congress that the President intends to initiate free trade agreement negotiations with Morocco and identified specific objectives for the negotiations. In addition, the USTR has requested the ITC's probable economic effects advice. The ITC intends to provide this advice on November 28, 2002. This notice solicits views from the public on these negotiations and provides information on a hearing

which will be conducted pursuant to the requirements of the Trade Act of 1974.

##### **2. Public Comments and Testimony**

To assist the Administration as it continues to develop its negotiating objectives for the proposed agreement, the Chairman of the TPSC invites written comments and/or oral testimony of interested persons at a public hearing. Comments and testimony may address the reduction or elimination of tariffs or non-tariff barriers on any articles provided for in the Harmonized Tariff Schedule of the United States (HTSUS) that are products of Morocco, any concession which should be sought by the United States, or any other matter relevant to the proposed agreement. The TPSC invites comments and testimony on all of these matters and, in particular, seeks comments and testimony addressed to:

(a) General and commodity-specific negotiating objectives for the proposed agreement.

(b) Economic costs and benefits to U.S. producers and consumers of removal of tariffs and non-tariff barriers to U.S.-Moroccan trade.

(c) Treatment of specific goods (described by Harmonized System tariff numbers) under the proposed agreement, including comments on (1) Product-specific import or export interests or barriers, (2) experience with particular measures that should be addressed in the negotiations, and (3) in the case of articles for which immediate elimination of tariffs is not appropriate, a recommended staging schedule for such elimination.

(d) Adequacy of existing customs measures to ensure Moroccan origin of imported goods, and appropriate rules of origin for goods entering the United States under the proposed agreement.

(e) Existing Moroccan sanitary and phytosanitary measures and technical barriers to trade.

(f) Existing barriers to trade in services between the United States and Morocco that should be addressed in the negotiations.

(g) Relevant trade-related intellectual property rights issues that should be addressed in the negotiations.

(h) Relevant investment issues that should be addressed in the negotiations.

(i) Relevant government procurement issues that should be addressed in the negotiations.

(j) Relevant environmental and labor issues that should be addressed in the negotiations.

Comments identifying as present or potential trade barriers laws or regulations that are not primarily trade-

related should address the economic, political and social objectives of such regulations and the degree to which they discriminate against producers of the other country.

At a later date, the USTR, through the TPSC, will publish notice of reviews regarding (a) the possible environmental effects of the proposed agreement and the scope of the U.S. environmental review of the proposed agreement, and (b) the impact of the proposed agreement on U.S. employment and labor markets.

A hearing will be held on November 21, 2002, in Rooms 1 and 2, 1724 F Street, NW., Washington, DC. If necessary, the hearing will continue on subsequent days. Persons wishing to testify at the hearing must provide written notification of their intention by November 1, 2002. The notification should include: (1) The name, address, and telephone number of the person presenting the testimony; and (2) a short (one or two paragraph) summary of the presentation, including the subject matter and, as applicable, the product(s) (with HTSUS numbers), service sector(s), or other subjects (such as investment, intellectual property and/or government procurement) to be discussed. A copy of the testimony must accompany the notification. Remarks at the hearing should be limited to no more than five minutes to allow for possible questions from the TPSC. Persons with mobility impairments who will need special assistance in gaining access to the hearing should contact the TPSC Executive Secretary.

Interested persons, including persons who participate in the hearing, may submit written comments by noon, November 25, 2002. Written comments may include rebuttal points demonstrating errors of fact or analysis not pointed out in the hearing. All written comments must state clearly the position taken, describe with particularity the supporting rationale, and be in English. The first page of written comments must specify the subject matter, including, as applicable, the product(s) (with HTSUS numbers), service sector(s), or other subjects (such as investment, intellectual property and/or government procurement).

##### **3. Requirements for Submissions**

In order to facilitate prompt processing of submissions, the Office of the United States Trade Representative strongly urges and prefers electronic (e-mail) submissions in response to this notice. In the event that an e-mail submission is impossible, submissions should be made by facsimile.

Persons making submissions by e-mail should use the following subject line: "United States—Morocco Free Trade Agreement" followed by (as appropriate) "Notice of Intent to Testify," "Testimony," or "Written Comments." Documents should be submitted as either WordPerfect, MSWord, or text (.TXT) files. Supporting documentation submitted as spreadsheets are acceptable as Quattro Pro or Excel. For any document containing business confidential information submitted electronically, the file name of the business confidential version should begin with the characters "BC-", and the file name of the public version should begin with the characters "P-". The "P-" or "BC-" should be followed by the name of the submitter. Persons who make submissions by e-mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. To the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Written comments, notice of testimony, and testimony will be placed in a file open to public inspection pursuant to 15 CFR 2003.5, except business confidential information exempt from public inspection in accordance with 15 CFR 2003.6. Business confidential information submitted in accordance with 15 CFR 2003.6 must be clearly marked "BUSINESS CONFIDENTIAL" at the top of each page, including any cover letter or cover page, and must be accompanied by a nonconfidential summary of the confidential information. All public documents and nonconfidential summaries shall be available for public inspection in the USTR Reading Room. The USTR Reading Room is open to the public, by appointment only, from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday. An appointment to review the file must be scheduled at least 48 hours in advance and may be made by calling (202) 395-6186.

General information concerning the Office of the United States Trade Representative may be obtained by accessing its Internet Web site (<http://www.ustr.gov>).

**Carmen Suro-Bredie,**

*Chairman, Trade Policy Staff Committee.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG 2002-13482]

#### Response Boat Replacement Project; Programmatic Environmental Assessment

**AGENCY:** U.S. Coast Guard, DOT.

**ACTION:** Notice of intent and request for public comments.

**SUMMARY:** The U.S. Coast Guard announces its intent to prepare a draft Programmatic Environmental Assessment (PEA) for the replacement of response boats. The PEA will assess the decision to acquire, homeport, and operate approximately 880 new response boats (approximately 180 Response Boat—Medium (RB-M) and approximately 700 Response Boat—Small (RB-S) to add to or replace existing Coast Guard boat capability at 43 Groups/Activities, 187 multi-mission stations, and 26 Marine Safety Offices that operate Coast Guard boats. The Coast Guard seeks public and agency input on the scope of the PEA. Specifically, the Coast Guard requests input on any environmental concerns that the public may have related to existing response boats, the proposal to replace these assets, sources of relevant data or information, and any suggested analysis methods for inclusion in the PEA.

**DATES:** Comments and related material must reach the Docket on or before November 25, 2002.

**ADDRESSES:** Comments may be submitted in several ways. To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG-2002-13482), U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001.

(2) By delivery to Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366-9329.

(3) By fax to the Docket Management Facility at (202) 493-2251.

(4) Electronically through the Web site for the Docket Management System at <http://dms.dot.gov>.

In choosing from these means, please give due regard to the continuing difficulties and delays associated with delivery of mail through the U.S. Postal Service to federal facilities.

The Docket Management Facility maintains the public docket for this notice. Comments will become part of this docket and will be available for inspection or copying in Room PL-401, located on the Plaza Level of the Nassif Building at the above address between 9 a.m. and 5 p.m., Monday through Friday, except for federal holidays. You may also view this docket, including this notice and comments, on the Internet at <http://dms.dog.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the project, you may contact CAPT James Maes, Commandant (G-OCS-2) at (202) 267-1085 or [jmaes@comdt.uscg.mil](mailto:jmaes@comdt.uscg.mil). For questions on viewing, or submitting materials to the docket, contact Dorothy Beard, Chief, Dockets, DOT, at (202) 366-9329.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to submit comments and related materials on this notice. Persons submitting comments should include their names and addresses, this notice reference number (USCG-2002-13482), and the reasons for each comment. You may submit your comments and materials by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address given under **ADDRESSES**. If you choose to submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, and suitable for copying and electronic filing. If you submit them by mail and would like to know if they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and materials received during the comment period. (For additional information about this notice or the PEA, contact Ms. Kebby Kelley at (202) 267-6034 or [Kkelley@comdt.uscg.mil](mailto:Kkelley@comdt.uscg.mil).)

##### Background Information

Domestic port safety and security has long been a core Coast Guard mission. However, in the wake of the terrorist attacks committed on September 11, 2001, emerging threats to the U.S. homeland have prompted an increased Coast Guard focus on protecting domestic ports and the U.S. Maritime Transportation System from terrorist threats.

As part of the U.S. response to these threats, the Coast Guard is undertaking a PEA for the decision to acquire, homeport and operate approximately 880 new response boats (approximately 180 Response Boat—Medium (RB-M)