

market share into consideration when determining to reduce an LMM's guaranteed participation percentage in a particular issue. However, the Exchange believes that the process articulated in the rule is overly complicated and no longer serves its intended use, especially in light of this proposed rule to decrease guaranteed participation levels from 50% to 40%.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,⁷ in general, and furthers the objectives of section 6(b)(5),⁸ in particular, in that it is designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts and practices, and protect investors and the public interest.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the Act.

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

Written comments on the proposed rule change were neither solicited nor received.

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

The foregoing rule change has become effective pursuant to section 19(b)(3)(A) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4¹⁰ thereunder because the Exchange has designated the proposed rule change as one that does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate; and the Exchange has given the Commission written notice of its intention to file the proposed rule change at least five business days prior to filing. At any time within 60 days of the filing of such 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.

The Exchange has requested that the Commission waive the 30-day operative delay. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Acceleration of the operative date will permit the Exchange to promptly decrease the LMM guaranteed from 50% to 40%, affording Market Makers a greater opportunity to interact with orders and thereby enhancing competition on the Exchange. For these reasons, the Commission designates the proposal to be become operative immediately.¹¹

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 Section. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-PCX-2002-49 and should be submitted by September 11, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹²

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02-21320 Filed 8-20-02; 8:45 am]

BILLING CODE 8010-01-P

¹¹ For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

¹² 17 CFR 200.30-3(a)(12).

DEPARTMENT OF STATE

Bureau of Consular Affairs

[Public Notice 4103]

Registration for the Diversity Immigrant (DV-2004) Visa Program

ACTION: Notice of registration for the Diversity Immigrant Visa Program.

This public notice provides information on how to apply for the DV 2004 Program. This notice is issued pursuant to 22 CFR 42.33(b)(2) which implements sections 201(a)(3), 201(e), 203(c) and 204(a)(1)(I) of the Immigration and Nationality Act, as amended, (8 U.S.C. 1151(a)(3) and (e), 1153(c), and 1154(a)(1)(I)).

Entry Procedures for Immigrant Visas To Be Made Available in the DV Category During Fiscal Year 2004

Entries for DV-2004 must be received at one of the Kentucky Consular Center Mailing Addresses listed in this Notice between noon on Monday, October 7, 2002 and noon on Wednesday, November 6, 2002. Entries received before or after these dates will be disqualified regardless of when they are postmarked. Entries mailed to any address other than the Kentucky Consular Center addresses listed in this notice will be disqualified.

How Are Visas Apportioned?

Visas are apportioned among six geographic regions with a greater number of visas going to regions with lower rates of immigration, and no visas going to countries sending more than 50,000 immigrants to the U.S. in the past five years. Within each of the six regions, no one country may receive more than seven percent of the available Diversity Visas in one year. By law, the U.S. Diversity Visa Program makes available a maximum of 55,000 each year. However, the Nicaraguan and Central American Relief Act (NACARA) stipulates that beginning as early as DV-99 and for as long as necessary, 5,000 of the 55,000 annually-allocated diversity visas will be made available for use under the NACARA Program. This reduction began in DV-1999 and remains in effect for DV-2004.

For DV-2004, natives of the following are not eligible to apply because they sent more than 50,000 immigrants to the United States in the previous five years:

Canada
China (mainland-born)
Colombia
Dominican Republic
El Salvador
Haiti

⁷ 15 U.S.C. 78f(b).

⁸ 15 U.S.C. 78f(b)(5).

⁹ 15 U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4(f)(6).

India
 Jamaica
 Mexico
 Pakistan
 Philippines
 South Korea
 United Kingdom (except Northern Ireland) and its dependent territories
 Vietnam

(Persons born in Hong Kong SAR, Macau SAR and Taiwan are eligible.)

What Are the Requirements To Apply for the DV-2004 Visas?

Chargeability

To enter, an applicant must be able to claim nativity in an eligible country, and must meet either the education or training requirement of the DV program. Nativity in most cases is determined by the applicant's place of birth. However, if a person was born in an ineligible country but his/her spouse was born in an eligible country, such person can claim the spouse's country of birth rather than his/her own. Also, if a person was born in an ineligible country, but neither of his/her parents was born there or resided there at the time of the birth, such person may be able to claim nativity in one of the parents' country of birth.

Education or Training

To enter, an applicant must have either a high school education or its equivalent, defined in the U.S. as successful completion of a 12-year course of elementary and secondary education; or two years of work experience within the past five years in an occupation requiring at least two years of training or experience to perform. U.S. Department of Labor definitions, as indicated in the O*Net OnLine database, will apply. If a person does not meet these requirements, he/she should not submit an entry to the DV program.

Submitting an Entry

Only one entry may be submitted by or for each applicant during the registration period. Submission of more than one entry will disqualify the person. The applicant must personally sign the entry, in his/her native

alphabet. Neither an initialed signature nor block printing of the applicant's name will be accepted and will result in the disqualification of the entry. Failure of the applicant to personally sign his/her own entry will result in disqualification.

Completing the Entry

There is no specific form for the entry. Failure to provide all of the information listed below will disqualify the applicant. Simply use a plain sheet of paper and type or clearly print in the English (Roman) alphabet (preferably in the order listed below):

1. Full name, with the last (surname/family) name underlined:

Examples: Public, Sara Jane (or) Lopez, Juan Antonio.

2. Date and place of birth:

Date: Day, Month, Year.

Example: 15 November 1961.

Place: City/Town, District/County/Province, Country.

Example: Munich, Bavaria, Germany.

The name of the country should be that which is currently in use for the place where the applicant was born (For example, Slovenia, rather than Yugoslavia; Kazakhstan rather than Soviet Union.)

3. The applicant's native country if different from country of birth:

If the applicant is claiming nativity in a country other than his/her place of birth, this must be clearly indicated on the entry. This information must match with what is put on the upper left corner of the entry envelope. (See "MAILING THE ENTRY" below.) If an applicant is claiming nativity through spouse or parent, please indicate this on the entry. (See "REQUIREMENTS" section for more information on this item.)

4. Name, date and place of birth of the applicant's spouse and unmarried children who are under the age of 21 (other than children who are already U.S. citizens or lawful permanent residents). Include natural children, stepchildren, as well as all legally-adopted children. List spouse and children regardless of whether or not they reside with you and whether or not they will immigrate with you. (Failure

to provide ALL of this information will disqualify the applicant.) Note: married children and children 21 years or older will not qualify for the DV Program.

5. Full mailing address:

This must be clear and complete, as any communications will be sent there. A telephone number is optional, but useful.

6. Photographs. Attach a recent photograph, either black and white or in color, of the applicant, spouse and each child.

If photos do not conform to the following specifications, the entry will be disqualified:

The photo must be between 1½ by 1½ and 2 by 2 inches (37–50 mm) square in size, with the name and date of birth printed on the back of the applicant's, spouse's and child's photo.

The person photographed must be directly facing the camera. The head should not be tilted up, down or to the side and should cover about 50% of the area of the photo.

The person should be in front of a neutral, light-colored background.

The face must be in focus.

The person photographed may not wear a hat or dark glasses or other paraphernalia which detracts from the face.

Photos with the alien wearing head coverings or hats are only acceptable due to religious beliefs, and even then, may not obscure any portion of the face of the applicant.

Photos of applicants wearing tribal, military, airline or other headware not specifically religious in nature will not be accepted.

The photograph (not a photocopy) should be attached to the entry with clear tape—DO NOT use staples or paperclips, which can jam the mail processing equipment.

7. Signature: The entry will be disqualified if the entry is not personally signed by the applicant with the usual and customary signature in his/her native alphabet. Neither an initialed signature nor block printing of the applicant's name will be accepted.

BILLING CODE 4710-06-P

SAMPLE ENTRY

There is no specific format for the DV entry. The following is a sample entry, but other formats may be used. Failure to include all of the required information will disqualify the applicant.

1. FULL NAME:

LAST (surname/family)

FIRST

2. DATE OF BIRTH

Day, Month, Year

PLACE OF BIRTH

City/Town, District/County/Province, Country

3. APPLICANT'S NATIVE COUNTRY, IF DIFFERENT FROM COUNTRY OF BIRTH

(See requirements above)

4. NAME, DATE AND PLACE OF BIRTH OF THE APPLICANT'S SPOUSE AND CHILDREN

Name

Date of birth (day, month, year)

Place of birth

Name

Date of birth (day, month, year)

Place of birth

Name

Date of birth (day, month, year)

Place of birth

*Attach information on additional children as necessary.
Use the back of the page if there is insufficient space.*

5. FULL MAILING ADDRESS:

6. PHOTOGRAPH: *Attach recent photograph of the applicant, the applicant's spouse and all children. Individual separate photographs must be attached for the spouse and all children. Print the name and date of birth of each family member on the back of each photograph. Photos may be attached to the back of the entry if there is not enough room on the front*

7. SIGNATURE:

Failure to personally sign the entry will disqualify the applicant.

Mailing the Entry

Submit the entry by regular or airmail to the address matching the region of the applicant's country of nativity. Entries sent by express or priority mail, second day airmail, fax, hand, messenger, or any means requiring receipts or special handling will not be processed.

- The envelope must be between 6 and 10 inches (15 to 25 cm) long and 3½ and 4½ inches (9 to 11 cm) wide.
- Postcards are not acceptable.
- Envelopes inside express or oversized mail packets are not acceptable.
- In the upper left-hand corner of the envelope the applicant must write his/

her country of nativity, followed by the applicant's name and full return address, even if both are the same.

Failure to provide this information will disqualify the entry.

Mailing address: The mailing addresses for the six regions are as follows:

Africa	(Includes all countries on the African continent and adjacent islands):.	DV Program, Kentucky Consular Center, 1001 Visa Crest, Migrate, KY 41901-1000, USA.
Asia	(Extends from Israel to the Northern Pacific Islands, and includes Indonesia):.	DV Program Kentucky Consular Center, 2002 Visa Crest, Migrate, KY 41902-2000, USA.
Europe	(Extends from Greenland to Russia, and includes all countries of the former USSR).	DV Program Kentucky Consular Center, 3003 Visa Crest, Migrate, KY 41903-3000, USA.
South America/Central America/Caribbean.	(Extends from Central America (Guatemala) and the Caribbean nations to Chile.).	DV Program Kentucky Consular Center, 4004 Visa Crest, Migrate, KY 41904-4000, USA.
Oceania	(Includes Australia, New Zealand, Papua New Guinea and all countries and islands of the South Pacific).	DV Program Kentucky Consular Center, 5005 Visa Crest, Migrate, KY 41905-5000, USA.
North America	(Includes the Bahamas)	DV Program Kentucky Consular Center, 6006 Visa Crest, Migrate, KY 41906-6000, USA.

EXAMPLE: An applicant who was born in Australia and now lives in France may submit one entry to

the appropriate address for Oceania; the envelope should look like this:

6" - 10" or 15 cm - 25 cm

<p>Australia Applicant's Full Name Street Address City, Province, Postal Code France</p>	<p>3 1/2 - 4 1/2"</p> <p>or</p> <p>9 cm - 11 cm</p>
<p>DV Program Kentucky Consular Center 5005 Visa Crest Migrate, KY 41905-5000, U.S.A.</p>	

Selection

Every application received during the mail-in period and prepared in accordance with these instructions will have an equal random chance of being selected within its region. No outside service can legitimately improve an applicant's chances of being chosen or guarantee that an entry will win.

Important notice: In order to actually receive a visa, applicants selected in the random drawing must meet all eligibility requirements under U.S. law, including any applicable special processing requirements established in response to the events of September 11, 2001. These requirements may significantly increase the level of scrutiny required and time necessary for processing of applications for natives of some countries listed in this notice; particularly those where a higher level activity related to post-September 11 concerns has been indicated. These

include, but are not limited to, countries identified as state sponsors of terrorism. Processing of applications and issuance of diversity visas to successful applicants and their eligible family members **MUST** occur by September 30, 2004. Family members may not obtain diversity visas to follow to join the applicant in the U.S. after this date. There is **NO** initial fee, other than postage required to enter the DV-2004 program. The use of an outside intermediary or assistance to prepare a DV-2004 entry is entirely at the applicant's discretion. Qualified entries received directly from applicants or through intermediaries have equal chances of being selected by computer. There is no advantage to mailing early, or mailing from any particular locale. However, more than one application per person will disqualify the person from registration.

Determining 2004 DV Countries

The Immigration and Naturalization Service (INS) determines the DV regional limits for each year according to a formula specified in section 203(c) of the Immigration and Nationality Act. Natives of the following countries are eligible for the 2004 DV Program:

Africa

- Algeria
- Angola
- Benin
- Botswana
- Burkina Faso
- Burundi
- Cameroon
- Cape Verde
- Central African Republic
- Chad
- Comoros
- Congo
- Congo, Democratic Republic of the
- Cote D'Ivoire (Ivory Coast)
- Djibouti

Egypt
 Equatorial Guinea
 Eritrea
 Ethiopia
 Gabon
 Gambia, The
 Ghana
 Guinea
 Guinea-Bissau
 Kenya
 Lesotho
 Liberia
 Libya
 Madagascar
 Malawi
 Mali
 Mauritania
 Mauritius
 Morocco
 Mozambique
 Namibia
 Niger
 Nigeria
 Rwanda
 Sao Tome and Principe
 Senegal
 Seychelles
 Sierra Leone
 Somalia
 South Africa
 Sudan
 Swaziland
 Tanzania
 Togo
 Tunisia
 Uganda
 Zambia
 Zimbabwe

Asia

Afghanistan
 Bahrain
 Bangladesh
 Bhutan
 Brunei
 Burma
 Cambodia
 Hong Kong Special Administrative Region
 Indonesia
 Iran
 Iraq
 Israel
 Japan
 Jordan
 Kuwait
 Laos
 Lebanon
 Macau Special Administrative Region
 Malaysia
 Maldives
 Mongolia
 Nepal
 North Korea
 Oman
 Qatar
 Saudi Arabia
 Singapore
 Sri Lanka

Syria
 Taiwan
 Thailand
 United Arab Emirates
 Yemen
 Asia countries whose natives do not qualify for this year's diversity program: China (mainland-born), India, Pakistan, South Korea, Philippines, and Vietnam.

Europe

Albania
 Andorra
 Armenia
 Austria
 Azerbaijan
 Belarus
 Belgium
 Bosnia and Herzegovina
 Bulgaria
 Croatia
 Cyprus
 Czech Republic
 Denmark (including components and dependent areas overseas)
 Estonia
 Finland
 France (including components and dependent areas overseas)
 Georgia
 Germany
 Greece
 Hungary
 Iceland
 Ireland
 Italy
 Kazakhstan
 Kyrgyzstan
 Latvia
 Liechtenstein
 Lithuania
 Luxembourg
 Macedonia, the Former Yugoslav Republic of
 Malta
 Moldova
 Monaco
 Netherlands (including components and dependent areas overseas)
 Northern Ireland *
 Norway
 Poland
 Portugal
 Romania
 Russia
 San Marino
 Slovakia
 Slovenia
 Spain
 Sweden
 Switzerland
 Tajikistan
 Turkey
 Turkmenistan
 Ukraine
 Uzbekistan
 Vatican City
 Yugoslavia, Federal Republic of
 European countries whose natives do not qualify for this year's diversity

program: Great Britain (including Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, Turks and Caicos Islands.

*NOTE: For the purposes of the diversity program only, Northern Ireland is treated separately and DOES qualify for this year's program.

North America

Bahamas, The
 In North America, natives of CANADA do not qualify for this year's diversity program.

Oceania

Australia (including components and dependent areas overseas)
 Fiji
 Kiribati
 Marshall Islands
 Micronesia, Federated States of
 Nauru
 New Zealand (including components and dependent areas overseas)
 Palau
 Papua New Guinea
 Samoa
 Solomon Islands
 Tonga
 Tuvalu
 Vanuatu

South American, Central American, and the Caribbean

Antigua and Barbuda
 Argentina
 Barbados
 Belize
 Bolivia
 Brazil
 Chile
 Costa Rica
 Cuba
 Dominica
 Ecuador
 Grenada
 Guatemala
 Guyana
 Honduras
 Nicaragua
 Panama
 Paraguay
 Peru
 St. Kitts and Nevis
 St. Lucia
 St. Vincent and the Grenadines
 Suriname
 Trinidad and Tobago
 Uruguay
 Venezuela
 Countries in this region whose natives do not qualify for this year's diversity program: Colombia, Dominican Republic, El Salvador, Haiti, Jamaica and Mexico.

Notifying Successful Entrants

Only successful entrants will be notified. They will be notified by mail

between April and July of 2003 at the address listed on their entry. Successful entrants will also be sent instructions on how to apply for an immigrant visa, including information on the fee for immigrant visas and a separate visa lottery surcharge. Successful entrants must complete the immigrant visa application process and meet all eligibility requirements under U.S. law to be issued a visa.

Being selected in the DV Lottery does not automatically guarantee issuance of a visa, even if the applicant is qualified, because the number of entries selected and registered is greater than the number of immigrant visas available. Those selected will, therefore, need to complete and file their immigrant visa applications quickly. Once all the diversity visas have been issued or on September 30, 2004, whichever is sooner, the DV Program for Fiscal Year 2004 will end.

Obtaining Instructions on Entering the DV Lottery

Interested persons may call (202) 331-7199, which describes the various means to obtain further details on entering the DV-2004 program. Applicants overseas may contact the nearest U.S. embassy or consulate for instructions on the DV lottery. DV information is also available in the Visa Bulletin, on the Internet at <http://travel.state.gov> or via the Consular Affairs automated fax at (202) 647-3000 (code 1103). Calls to the automated fax service must be made from a fax machine using the receiver or voice option of the caller's fax equipment.

George Lannon,

Acting Assistant Secretary for Consular Affairs, Department of State.

[FR Doc. 02-21411 Filed 8-20-02; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Pottawattamie County, IA, Douglas County, NE

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for improving the freeway system for Interstate-80 (I-80), I-29, and I-480 in the City of Council Bluffs, Pottawattamie County, Iowa, and the

City of Omaha, Douglas County, Nebraska.

FOR FURTHER INFORMATION CONTACT:

Rebecca Hiatt, Operations Engineer, FHWA, 105 6th Street, Ames, IA 50010-6337, (515) 233-7321. James P. Rost, Director, Office of Location and Environment, Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010, (515) 239-1798.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

Background

The FHWA, in cooperation with the Iowa Department of Transportation, will prepare an environmental impact statement (EIS) for the proposed Council Bluffs Interstate System Improvement Project including improvements to I-80, I-29, and I-480. The system deficiencies noted in an earlier needs study (conducted by the Metropolitan Planning Organization and the City of Council Bluffs in April 1999) included deteriorated roadways and bridges, reduced travel efficiency, substandard roadway geometry, and safety issues. The proposed system improvements include approximately 18 mainline-miles of interstate, and 16 interchanges (3 system, 13 service). The project area includes Interstate 80 from near the 24th Street interchange in the City of Omaha, Nebraska, east to U.S. Hwy 6 (Kanesville Blvd) just northeast of the City of Council Bluffs, Iowa. The project also includes: Interstate 29, from just south of Iowa Hwy 92 and U.S. Hwy 275 south of Council Bluffs, and north to Iowa Hwy 192 (16th Street) just north of Council Bluffs; Interstate 480 from the Missouri River Bridge (on the Nebraska side) to Interstate 29 at the Broadway interchange in Council Bluffs; studies of the Missouri River crossings; and an underpass of the Union Pacific mainline.

Due to the size of the system and the multi-year/multi-project approach, a tiered EIS process will be conducted. A Tier 1 EIS will be prepared to determine the preferred set of long-range improvements for the I-80, I-29, and I-480 freeway system. The EIS will consider a broad range of alternatives including no action, reconstruction of

the existing alignment, and improvements to transportation system management, transportation demand management, transit, and cross-town corridors. Following the conclusion of the Tier 1 EIS, preliminary engineering, in-depth environmental studies, and Tier 2 environmental documents (EIS, environmental assessment (EA), or categorical exclusion (CE)) will be completed for individual projects as appropriate.

Letters describing the proposed action and soliciting comments have been sent to appropriate federal, state, and local agencies, and to private organizations and citizens who are known to be interested in this proposed project.

A scoping meeting for identifying significant issues to be addressed in the environmental impact statement will be held on September 12, 2002 from 4 to 7 p.m. at the Best Western Crossroads of the Bluffs at 2216 27th Avenue (I-80 and 24th Street), Council Bluffs, Iowa.

In addition to the scoping meeting, a series of public meetings and a public hearing on the draft EIS will be held in the City of Council Bluffs, Iowa, during 2002, 2003 and 2004. Public notice will be given of the time and place of the public meetings and public hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the Iowa Department of Transportation or FHWA at the address provided under the caption **FOR FURTHER INFORMATION CONTACT.**

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Bobby W. Blackmon,

Division Administrator.

[FR Doc. 02-21214 Filed 8-20-02; 8:45 am]

BILLING CODE 4910-22-U

MARITIME ADMINISTRATION

[Docket Number: MARAD-2002-13156]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.