

the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the PCX. All submissions should refer to File No. SR-PCX-2002-79 and should be submitted by February 18, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-1713 Filed 1-24-03; 8:45 am]

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## DEPARTMENT OF STATE

### [Public Notice 4250]

#### **Notice Convening the Accountability Review Board for the Murder of Mr. Laurence Foley, USAID Official in Amman, Jordan**

Pursuant to section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831 *et seq.*), I have determined that the October 28, 2002, murder of Mr. Laurence (Larry) Foley of the U.S. Agency for International Development (AID) in Amman, Jordan, involved loss of life at or related to a U.S. mission abroad. Therefore, I am convening an Accountability Review Board, as required by that statute, to examine the facts and the circumstances of the attack and report to me such findings and recommendations as it deems appropriate, in keeping with the attached mandate.

I have appointed Ambassador Wesley Egan as Chair of the Board. He will be assisted by Frederick Mecke, Timothy Deerr, George Wachtenheim, Charles S. Phalen, Jr., and by Executive Secretary Howard Perlow. All will bring to their deliberations distinguished backgrounds in government service and in the private sector.

I have asked the Board to submit its conclusions and recommendations to me within 60 days of its first meeting, unless the Chair determines a need for additional time. Appropriate action will be taken and reports submitted to Congress on any recommendations made by the Board.

Anyone with information relevant to the Board's examination of this incident should contact the Board promptly at (202) 647-5204 or send a fax to the Board at (202) 647-3282.

Dated: January 6, 2003.

**Colin L. Powell,**

*Secretary of State, Department of State.*

#### **Accountability Review Board— Amman, Jordan; Mandate**

*A. Review and Report.* The Accountability Review Board shall examine the facts and circumstances surrounding the October 28, 2002, murder of Mr. Laurence Foley, an employee of the U.S. Agency for International Development who was assigned to the American Embassy in Amman, Jordan. Mr. Foley was shot in the driveway of his home at approximately 7:15 a.m. while preparing to leave for work. The ARB shall submit a detailed written report to the Secretary of State within 60 days of its first meeting. If the Chair determines that more than 60 days are necessary to complete the Board's review, the Chair shall notify the Secretary of State of that fact and the amount of additional time needed.

*B. Findings.* In accordance with section 304 (a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 ("the Act"), the Board shall make written findings in its report to include at least the following matters:

1. The extent to which the incident (with respect to which the Board was convened) was security-related;
2. Whether in this case the security systems and security procedures were adequate;
3. Whether the security systems and security procedures were properly implemented in this case;
4. The impact of intelligence and information availability in this case;
5. Whether there is reasonable cause to believe that any individual has breached the duty of that individual; and
6. Such other factors and circumstances which may be relevant to the appropriate security management of United States missions abroad.

*C. Program Findings and Recommendations.* The Board shall submit its findings (which may be classified to the extent deemed necessary by the Board) to the Secretary of State, together with recommendations, as appropriate, to improve the security and efficiency of any program or operations which the Board has reviewed.

*D. Personnel Findings and Recommendations.* If the Board finds reasonable cause to believe that an employee of the United States Government, or member of the uniformed services, as defined by section 303(a)(1)(B) of the Act, has

breached his or her duty, the Board shall:

- (1) Notify the individual concerned;
- (2) Transmit the finding of reasonable cause, together with all information relevant to such finding, to the head of the appropriate Federal agency or instrumentality; and
- (3) Recommend that such agency or instrumentality initiate appropriate investigatory or disciplinary actions.

*E. Coordination with Law Enforcement Investigations.* I expect that the Board will carry out its activities in a manner that does not interfere with or compromise the work of the Justice Department or any other law enforcement authority conducting an investigation of the incident. Specifically, the Board shall coordinate its activities in accordance with the State-Justice Memorandum of Understanding (MOU) signed in September of 2001.

*F. Termination.* The Board shall terminate 30 days after submission of its report to the Secretary of State unless the Secretary of State within that time requests that further proceedings be held by the Board and specifies a new termination date.

[FR Doc. 03-1645 Filed 1-24-03; 8:45 am]

BILLING CODE 4710-10-P

## DEPARTMENT OF STATE

### [Public Notice 4252]

#### **Culturally Significant Objects Imported for Exhibition Determinations: "Renoir and Algeria"**

**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 [64 FR 56014], and Delegation of Authority No. 236 of October 19, 1999 [64 FR 57920], as amended, I hereby determine that the objects to be included in the exhibition, "Renoir and Algeria," imported from abroad for temporary exhibition within the United States, are of cultural significance. These objects are imported pursuant to loan agreements with foreign lenders. I also determine that the exhibition or display of the exhibit objects at the Clark Art Institute, Williamstown, Massachusetts, from on

<sup>11</sup> 17 CFR 200.30-3(a)(12).

or about February 16, 2003, to on or about May 11, 2003, the Dallas Museum of Art, Dallas, Texas, from on or about June 8, 2003, to on or about September 7, 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, including a list of exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, 202/619-5997, and the address is United States Department of State, SA-44, Room 700, 301 4th Street, SW, Washington, DC 20547-0001.

Dated: January 15, 2003.

**Miller Crouch,**

*Acting Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. 03-1767 Filed 1-24-03; 8:45 am]

**BILLING CODE 4710-08-P**

## TENNESSEE VALLEY AUTHORITY

### **Pickwick Reservoir Land Management Plan, Lauderdale and Colbert Counties, AL; Tishomingo County, MS; and Hardin County, TN**

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Issuance of record of decision.

**SUMMARY:** This notice is provided in accordance with the Council on Environmental Quality's regulations (40 CFR 1500 to 1508) and TVA's procedures implementing the National Environmental Policy Act. TVA has updated its 1981 land management plan for 19,238 acres of TVA public land on Pickwick Reservoir in Alabama, Mississippi, and Tennessee. TVA will use the plan to guide land use approvals, private water-use facility permitting, and resource management decisions on Pickwick Reservoir. On September 10, 2002, the TVA Board of Directors decided to adopt the preferred alternative (Alternative B) identified in the Final Environmental Impact Statement (EIS) and Land Management Plan, Pickwick Reservoir. A notice of availability of the final EIS was published in the **Federal Register** on August 2, 2002. Under the adopted land plan, TVA has allocated undeveloped lands for public recreation and natural resource conservation, and has also been responsive to local requests for use of TVA lands for water access and community development. Of the 19,238 acres of TVA lands on the reservoir which are available for allocation,

16,291 acres would be allocated to natural resource conservation (Zone 4), sensitive resource management (Zone 3), TVA project operations (Zone 2); 1,327 acres would be allocated for developed recreation (Zone 6) uses such as marinas, campgrounds, parks, and boat ramps; 1,085 acres would be allocated for residential lake access, and 534 acres for industrial or commercial uses (Zone 5). Although reserved for conservation purposes, lands in Zones 3 and 4 also lend themselves to dispersed recreation uses.

**FOR FURTHER INFORMATION CONTACT:** Harold Draper, Senior NEPA Specialist, Environmental Policy and Planning, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 8C, Knoxville, Tennessee 37902-1499; telephone (865) 632-6996 or e-mail [hmdraper@tva.gov](mailto:hmdraper@tva.gov).

**SUPPLEMENTARY INFORMATION:** Pickwick Reservoir is a 52.7-mile long reservoir completed in 1938. Although 63,625 acres were acquired for construction of the reservoir, 42,708 are covered by water. Subsequent transfers of land by TVA for economic, industrial, residential, or public recreation development have resulted in a current balance of 19,238 acres of TVA public land above normal summer pool elevation of 414 mean sea level.

TVA first announced its proposal to update its 1981 land management plan in 2001. TVA determined that the development of an EIS would allow a better understanding of the impacts of the alternatives. TVA published in the **Federal Register** a notice of intent to prepare an EIS on March 26, 2001. Meetings were held to inform the public of TVA's proposal to update the land allocation plan and to solicit input on scoping this proposal. The scoping meetings were held on March 29, 2001, in Lula, Mississippi at the Tishomingo County High School; April 3, 2001, in Memphis, Tennessee at the Adam's Mark Hotel; April 6, 2001, in Pickwick Dam, Tennessee at the Pickwick Landing State Park; and April 12, 2001, in Muscle Shoals, Alabama at the TVA Environmental Research Center Auditorium. These meetings were attended by 203 people. In addition, written comments were invited through a news release, newspaper notices, and a web site notice. During the scoping period, commenters expressed a desire for more environmental protection of the lands of Pickwick Reservoir, and discussed how they valued the scenic beauty and setting of the reservoir. TVA made an effort to identify parcels of land with sensitive resources that should be managed in a manner that

ensures the protection of these resources. Further, TVA used the comments received during the scoping process to develop alternatives to be assessed in the draft EIS (DEIS). TVA assessed the impacts of the following alternatives: No action (Alternative A); balanced conservation with limited development (Alternative B); and conservation (Alternative C). A notice of availability (NOA) of the DEIS appeared in the **Federal Register** on May 3, 2002.

In addition to written materials, additional information on the proposals and other aspects of the DEIS was available to the public in four public meetings held in May 7, 2002, in Muscle Shoals, Alabama at the TVA Environmental Research Center Auditorium; May 14, 2002, in Lula, Mississippi at the Tishomingo County High School; May 16, 2002, in Memphis, Tennessee at the Adam's Mark Hotel; and May 21, 2002, in Pickwick Dam, Tennessee at the Pickwick Landing State Park. Approximately 64 comments were received on the DEIS. These comments primarily related to recommendations for proposed uses of TVA land. In the Final EIS (FEIS), TVA selected Alternative B as the preferred alternative. After considering all comments, the Final EIS was completed and distributed to commenting agencies and the public. A NOA for the Final EIS was published in the **Federal Register** on August 2, 2001.

### **Alternatives Considered**

TVA considered three alternatives, including no action, for allocation of Pickwick Reservoir lands. The action alternatives were characterized as Alternative B, balanced conservation with limited developed recreation and industrial/commercial development, and Alternative C, conservation. Alternative B accommodated use requests and allocation changes for 3 parcels, while Alternative C did not accommodate allocation change requests and instead reserved these three parcels to conservation-oriented uses by allocating the parcels to Zone 4. In response to public comments on the DEIS, TVA selected Alternative B as the preferred alternative for the FEIS.

Under *Alternative A, the no action alternative*, TVA would not revise the 1981 allocation plan. Proposed land use requests received from external applicants or internal TVA interests would be evaluated for consistency with the 1981 plan. Requested land uses that are consistent would be approved or denied based on a review of potential environmental impacts and other administrative considerations. If the