

of the ATNS to rigorously analyze predicted noise exposures using different altitude ceilings. Using a research and development tool, FAA analyzed data from a major airspace project and proposed alternative that reflected the largest proposed changes to the current area airspace design. The science-based study provided analysis on the difference in noise screening results by comparing results using an 18,000 feet AGL altitude ceiling with results using 10,000, 12,000, 14,000, and 16,000 feet AGL. Completed in July 1999, the results revealed equivalent predicted noise exposure values using a 10,000 feet ceiling as were predicted using a 18,000 feet ceiling. In addition, since the ATNS was implemented, proposals to change air traffic procedures have not identified 5 decibel or greater changes at altitudes above 10,000 feet AGL.

The results of this analysis confirm that an altitude cut-off of 10,000 feet AGL has materially the same predictive capability as the ATNS run to 18,000 feet AGL. The FAA has determined that the public interest is served by this action. The policy change enables the Air Traffic Service to avoid unproductive agency resource use; further, the policy change enables resource allocation to more timely analysis of environmental conditions for proposed airspace projects without changing environmental protection and consideration to affected communities.

#### Air Traffic Noise Screen Policy

Beyond the airport environs, aircraft following air traffic routes and procedures normally do not significantly influence the noise environment of underlying land uses. Air traffic procedures for operations over 3,000 feet AGL are normally categorically excluded from environmental assessment requirements delineated in FAA Order 1050.1, Environmental Impacts: Policies and Procedures.

At the same time, in recognition that some actions that are normally categorically excluded can be highly controversial on environmental grounds, the FAA has developed the ATNS which allows air traffic specialists and planners to evaluate potential noise impacts from proposed air traffic changes. The ATNS is a computerized noise screening procedure that provides guidance to air traffic managers in identifying air traffic changes that will increase aircraft noise exposure, and the possible need for an environmental assessment.

The ATNS will be used to evaluate proposed changes in arrival procedures

between 3,000 feet and 7,000 feet and departure procedures between 3,000 and 10,000 feet AGL, for large civil jet aircraft weighing over 75,000 pounds. Where a proposed change would cause an increase in noise of 5 dB DNL or greater, FAA considers whether there are extraordinary circumstances in accordance with Order 1050.1 that warrant preparation of an environmental assessment.

Issued in Washington, DC November 30, 2000.

**Nancy B. Kalinowski,**

*Deputy Program Director for Air Traffic  
Airspace Management, ATA-1.*

[FR Doc. 00-31090 Filed 12-5-00; 8:45 am]

**BILLING CODE 4910-13-M**

---

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Pilot Program To Permit Cost-Sharing of Air Traffic Modernization Projects

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of final program guidance; request for sponsors' expressions of interest for air traffic modernization cost-sharing projects for fiscal years 2001, 2002, and 2003.

**SUMMARY:** On August 14, 2000, the FAA issued proposed program guidance on Section 304 of the Wendell H. Ford Aviation and Investment Reform Act for the 21st Century (AIR-21), which authorizes a pilot program for cost-sharing of air traffic modernization projects. The FAA is now issuing final program guidance and is requesting sponsors' expressions of interest for cost-sharing projects for fiscal years 2001, 2002, and 2003. The comments that the FAA received on the proposed guidelines and FAA's responses can be found below under the heading

**SUPPLEMENTARY INFORMATION.** The purpose of Section 304 is to improve aviation safety and enhance mobility by encouraging non-Federal investment on a pilot program basis in critical air traffic control facilities and equipment. Under the pilot program, the Secretary of Transportation may make grants to eligible project sponsors for not more than ten eligible projects, with each project limited to Federal funding of \$15,000,000 and a 33 percent Federal cost share. A project sponsor may be a public-use airport (or a group of public-use airports), or a joint venture between a public-use airport (and a group of public-use airports) and one or more U.S. air carriers.

**DATES:** Initial sponsors' expressions of interest should be received by the FAA's Air Traffic System Requirements Service on or before January 19, 2001.

**ADDRESSES:** Sponsors' expressions of interest should be mailed or delivered, in duplicate, to the Federal Aviation Administration, Air Traffic System Requirements Service (ARS-1), Room 8206, 400 7th Street, SW, Washington, DC 20590. Electronic submissions of expressions of interests will not be accepted. Deliveries may be made between 8:30 a.m. and 5 p.m. weekdays, except Federal holidays. An electronic copy of this notice may be downloaded using a modem and suitable communications software from the FAA regulations section of the FedWorld electronic bulletin board service (telephone: 703-321-3339) or the Government Printing Office's electronic bulletin board service (telephone: 202-512-1661).

**FOR FURTHER INFORMATION CONTACT:** Ward Keech (202-267-3312) or Charles Monico (202-267-9527), Office of Aviation Policy and Plans (APO), Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION

##### 1. Background

In performing its mission of providing a safe and efficient air transportation system, the FAA operates and maintains a complex air traffic control system infrastructure. Section 304 of the Wendell H. Ford Aviation and Investment Reform Act for the 21st Century (AIR-21) authorizes a pilot program to permit cost-sharing of air traffic modernization projects, under which airports and airport/airline joint ventures may procure and install facilities and equipment in cooperation with the FAA. The purpose of Section 304 is to improve aviation safety and enhance mobility in the air transportation by encouraging non-Federal investment on a pilot program basis in critical air traffic control facilities and equipment. The pilot program is intended to allow project sponsors to achieve accelerated deployment of eligible facilities or equipment, and to help expand aviation infrastructure.

This notice responds to congressional direction that the FAA issue advisory guidelines on implementation of the pilot program.

##### 2. Responses to Comments Requested in August 14, 2000 Federal Register Notice

The August 14, 2000, notice requested comments on FAA's proposed program

guidance. The comments that the FAA received on the proposed guidelines and FAA's responses to those comments are summarized below:

a. A commenter suggested that the guidance should clearly allow and explicitly acknowledge that project facilities, equipment and automation tools may or may not be transferred to the FAA for operation and maintenance. The commenter points out that the proposed guidance did not exclude the possibility that certain pilot projects will not be transferred to the FAA for operation and maintenance. The FAA agrees with this comment. It was not the intent of the statute or the FAA to require project transfer. The FAA has changed the guidance to clarify that the project sponsor may elect to transfer or not transfer the project to the FAA. The FAA has also clarified the requirement that, at the time of transfer, the project should be operable and maintainable by the FAA and should comply with FAA Order 6700.20, Non-Federal Navigational Aids and Air Traffic Control Facilities, or any successor Order then in effect. The FAA has also clarified the requirement that, if the project is not transferred to the FAA, the sponsor remains liable for all operations and maintenance costs, including the costs of capital sustainment.

b. A commenter objected to the proposed criterion that the project be consistent with FAA's air traffic equipment/systems infrastructure and architecture. The FAA does not concur. It is essential that a pilot project be compatible and consistent with FAA's air traffic equipment/systems infrastructure and architecture because FAA is statutorily liable for operating and maintaining the project if the sponsor elects to transfer it to the FAA.

c. A commenter objected to the proposed criterion that the project be a validated project of an FAA program. The FAA does not concur. By statute, funding to carry out the Federal share of the program may be available from amounts authorized to be appropriated under 49 U.S.C. 48101(a) (FAA's Facilities and Equipment authorization) for fiscal years 2001 through 2003. Given that there are no specifically appropriated funds for the pilot program, FAA has chosen to limit pilot program eligibility to validated projects of FAA programs. To do otherwise could result in Federal funding of pilot program projects at the expense and exclusion of non-pilot program projects which are generally expected to yield greater returns to the safety and efficiency of the air transportation system.

d. A commenter expressed concern about the proposed criterion that project hardware have a useful and expected life of ten years or more. The commenter noted that the requirement is impractical as applied to commercial off-the-shelf computers which cannot be maintained cost-effectively for more than 5 years or so after the purchase date. The FAA acknowledges the merit of this comment. The FAA has changed the criterion to "the project should have a useful and expected life of ten years or more, notwithstanding the possible need to replace project components during its operating life."

### **3. Final Program Guidance**

This section restates the statutory language of AIR-21 Section 304 and outlines FAA's supplementary criteria for the pilot program. FAA's evaluation and screening criteria are outlined in Section 3.6 of this notice.

#### *3.1 Eligible Project Sponsors*

##### **3.1.1 Statutory Provisions for Sponsor Eligibility**

The term "project sponsor" means a public-use airport or a joint venture between a public-use airport and one or more air carriers.

##### **3.1.2 Supplementary FAA Criteria for Sponsor Eligibility**

An eligible project sponsor is a public-use airport (or group of airports), either publicly or privately owned, acting on its own or in a joint venture with one or more U.S. air carriers. All landing facilities meeting these criteria are eligible, including but not limited to commercial service airports, reliever airports, general aviation airports, heliports, etc. All eligible sponsors are encouraged to participate.

#### *3.2 Eligible Projects*

##### **3.2.1 Statutory Provisions for Project Eligibility**

The term 'eligible project' means a critical project relating to the Nation's air traffic control system that is certified or approved by the Administrator and that promotes safety, efficiency, or mobility. Such projects may include:

a. airport-specific air traffic facilities and equipment, including local area augmentation systems, instrument landings systems, weather and wind shear detection equipment, lighting improvements, and control towers;

b. automation tools to effect improvements in airport capacity, including passive final approach spacing tools and traffic management advisory equipment; and

c. facilities and equipment that enhance airspace control procedures, including consolidation of terminal radar control facilities and equipment, or assist in en route surveillance, including oceanic and offshore flight tracking.

The statute limits the pilot program to 10 eligible projects.

#### **3.2.2 Supplementary FAA Criteria for Project Eligibility**

a. The project should be consistent with FAA's air traffic equipment/systems infrastructure and architecture and should be a validated project of an FAA program. The project should be initiated within two years of project approval and completed/commissioned within five years of project approval (allowing for an environmental impact study (if necessary), acquisition, supply support, training programs, etc.).

b. Equipment and facilities should meet applicable FAA advisory circulars and specifications. New or modified computer software is eligible if it meets all other criteria.

c. The project should serve the general welfare of the flying public; it should not be used for the exclusive interest of a for-profit entity.

d. Any facility/equipment acquired under the project should be a new asset, not an asset that the sponsor has already acquired or committed to acquiring. Either the FAA or the sponsor may use its acquisition authority and acquisition vehicles to procure and install facilities and equipment under the pilot program. In the case where the FAA manages the procurement, existing FAA contracts will be used where possible. Unless otherwise stipulated in the agreement executed between the sponsor and the FAA, liability for cost over-runs will be shared between the FAA and the sponsor in accordance with their project cost shares (however, the FAA's total cost share is limited by statute to \$15,000,000 per project). Equipment in FAA's inventory that has not been previously adopted qualifies as eligible equipment.

e. The project should have a useful and expected life of ten years or more, notwithstanding the possible need to replace project components during its operating life.

f. If a sponsor submits more than one project nomination, each project should form part or all of an integrated system.

g. A project may not be co-mingled with other FAA cost-sharing programs (e.g., the provisions of AIR-21 Section 131 that authorize cost-sharing programs for airport traffic control tower operations and construction).

h. All equipment and structures should meet OSHA standards for employee safety and fire protection. Where land is involved, the property should meet all environmental compliance requirements, including noise, hazardous material, property access, and zoning rights.

i. A project may not create an increase in the controller or airways facility workforces during the pre-transfer period (see section below titled "Transfer of Facility or Equipment to FAA").

### 3.3 Funding

#### 3.3.1 Statutory Provisions for Funding

The Federal share of the cost of an eligible project carried out under the pilot program shall not exceed 33 percent. No project may receive more than \$15,000,000 in Federal funding under Section 4810(a) of Title 49, United States Code (FAA's Facilities and Equipment appropriation). The Secretary shall use amounts appropriated under Section 48101(a) for fiscal years 2001 through 2003 to carry out the program.

The sponsor's share of the cost of an eligible project shall be provided from non-Federal sources, including revenues collected pursuant to Section 40117 of Title 49, United States Code (passenger facility charges).

#### 3.3.2 Supplementary FAA Criteria for Funding

FAA is not obligated to fund one-third of the total projects costs; rather, FAA's share may not exceed this threshold. The project sponsor must provide two-thirds or more of the total project cost. The Federal and non-Federal shares of project cost may take the form of in-kind contributions. If selected for the pilot program, a sponsor may use passenger facility charge (PFC) revenues to acquire and install eligible facilities and equipment, but not to fund their operation or maintenance. Normal PFC processing procedures under Federal Aviation Regulation 14 CFR Part 158 will be used to approve the imposition of a PFC or the use of PFC revenue as the non-Federal share of a pilot program project.

Project funding may be effected through a grant, a cooperative agreement, or other applicable instrument. Non-Federal matching contributions applied to any other Federal project or grant may not be used to satisfy the sponsor's cost share under this pilot program. FAA may utilize equipment in its inventory that has not been previously deployed.

The following criteria apply to the calculation of the cost-sharing ratio:

a. Project costs are limited to those costs that the FAA would normally incur in conventional facilities and equipment funding (e.g., if land/right-of-way must be acquired or leased for a project, its cost can be included in the cost-sharing ratio only if FAA would otherwise incur it in conventional program funding).

b. Operations and maintenance costs of the project, both before and after any sponsor-elected project transfer to the FAA, will not be considered as part of the cost-share contribution.

c. Non-federal funding may include cash, substantial equipment contributions that are wholly utilized as an integral part of the project, and personnel services dedicated to the proposed project prior to commissioning, as long as such personnel are not otherwise supported with Federal funds. The non-federal cost may include in-kind contributions (e.g., buildings). In-kind contributions will be evaluated as to whether they present a cost that FAA would otherwise incur in conventional facilities and equipment funding.

d. Aside from in-kind contributions, only funds expended by the sponsor after the project approval date will be eligible for inclusion in the cost-sharing ratio.

e. Unless otherwise specified by these criteria, the principles and standards for determining costs should be conducted in accordance with OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments.

f. As with other U.S. DOT cost-sharing grants, it is inappropriate for a management/administrative fee to be included as part of the sponsor's contribution. This does not prohibit appropriate fee payments to vendors or others that may provide goods or services to support the project.

By statute, funding to carry out the Federal share of the program may be available from amounts authorized to be appropriated under 49 U.S.C. 48101(a) (FAA's Facilities and Equipment authorization) for fiscal years 2001 through 2003. FAA funding decisions will be made in concert with the project evaluation and project selection processes discussed later in this notice. FAA may choose to use specifically appropriated funds, to re-program funds from within existing facilities and equipment project appropriations, or to fund from within existing budget line items.

The U.S. Department of Transportation and the Comptroller General of the United States have the right to access all documents pertaining to the use of Federal and non-Federal

contributions for selected projects. Sponsors should maintain sufficient documentation during negotiations and during the life of the project to substantiate costs.

#### 3.4 Transfer of Facility or Equipment to FAA

##### 3.4.1 Statutory Provisions for Facility or Equipment Transfer

Notwithstanding any other provision of law, project sponsors may transfer, without consideration, to the FAA, facilities, equipment, and automation tools, the purchase of which was assisted by a grant made under this section. The FAA shall accept such facilities, equipment, and automation tools, which shall thereafter be operated and maintained by the FAA in accordance with criteria of the FAA.

##### 3.4.2 Supplementary FAA Criteria for Facility or Equipment Transfer

Project transfer to the FAA will be at the sponsor's election. At the time of transfer, the project should be operable and maintainable by the FAA and should comply with FAA Order 6700.20, Non-Federal Navigational Aids and Air Traffic Control Facilities, or any successor Order then in effect. If the project is not transferred to the FAA, the sponsor remains liable for all operations and maintenance costs, including the costs of capital sustainment.

In the event of transfer, software code, data rights, and support tools should be provided to the FAA at no cost to the FAA.

#### 3.5 Application Procedures

Application to the pilot program consists of two phases, as described below. The purpose of Phase 1 is to allow the FAA to gauge the level of interest, to provide preliminary responses to potential sponsors without causing applicant sponsors to expend excessive resources on project applications that have very limited chances of acceptance because of need or cost, and to plan for subsequent program implementation. In Phase 2, sponsors will provide more detailed applications, and final FAA evaluations/project selections will be completed.

##### 3.5.1 Phase 1: Sponsor's Expression of Interest

A Phase 1 expression of interest should reflect a meaningful proposal and should not be submitted by a potential sponsor as a placeholder. The Phase 1 submission is not binding but it should reflect accurate estimates of project cost and sponsor contributions. Sponsors should submit written

expressions of interest in accordance with the sections captioned **ADDRESSES** and **DATES** earlier in this notice.

Electronic submissions will not be accepted. A sponsor's initial expression of interest should include the following:

a. Identity of sponsor (including point-of-contact's name, mailing address, telephone number, fax number, and e-mail address) and all participating authorities or entities in the case of joint ventures.

b. Description and location of the proposed project.

c. Statement of need for the project, including a brief assessment of the projected benefits—site-specific, regional, and the national airspace system.

d. Preferred project schedule, including start date, completion date, and any significant interim milestone dates.

e. Statement of intent to transfer the project to the FAA, including envisioned date, or intent not to transfer the project to the FAA.

f. Schedule of estimated project costs, including, (1) Up-front costs divided into proposed shares between the sponsor and the FAA, and (2) annual life-cycle operations and maintenance costs (both before and after transfer if the sponsor elects to transfer the project to the FAA).

g. Self-assessment of the ability to acquire and commit the non-Federal share of funding.

The FAA will review and evaluate the expressions of interest submitted during Phase 1, using a panel of technical program experts. The FAA will contact the sponsor if it has questions or has suggestions on how the sponsor may improve its proposal. Following its evaluations and preliminary selections, the review panel will recommend to the Director of FAA's Airway Facilities Service and the Director of FAA's Office of System Architecture and Investment Analysis those applicant sponsors who should be invited to participate in Phase 2, as described below. These officials will notify and invite selected sponsors to participate in Phase 2.

### 3.5.2 Phase 2: Formal Application and Selection of Projects

During Phase 2 each sponsor that has been invited to participate should submit an expanded application with the following elements: Project Description, Economic Analysis, Schedule, Financial Plan, Letter of Commitment, and a Letter of Acknowledgment/Support from the applicable State Department of Transportation and/or other appropriate jurisdiction. The following subsections

describe the information needed by the FAA to evaluate the merits of each application.

a. Project Description: The project description should contain: (1) The identity of the submitting sponsor (including point-of-contact's name, mailing address, telephone number, fax number, and e-mail address) and all participating authorities or entities in the case of joint ventures; (2) project name and location; and (3) a detailed project description.

b. Economic Analysis: All applications should describe the need for the project and demonstrate its safety, efficiency, capacity, productivity, and other benefits, as applicable, at the airport, regional, and system-wide levels. The sponsor may conduct its own analysis, may opt to summarize existing analyses from FAA's acquisition management system, and/or may use the investment criteria in FAA Order 7031.2C, Airway Planning Standard Number One. The analysis should include a schedule of project costs, including: (1) Up-front costs broken down into proposed shares between the sponsor and the FAA; and (2) annual and life-cycle operations and maintenance costs before and after transfer to the FAA (if the sponsor elects to transfer). The level of effort devoted to the analyses should be tailored to the scope and cost of the project. The economic analyses should be consistent with FAA guidance contained in Report FAA-APO-98-4, Economic Analysis of Investment and Regulatory Programs—Revised Guide, and Report FAA-APO-98-8, Economic Values for Evaluation of Federal Aviation Administration Investment and Regulatory Programs.

c. Schedule: the Schedule should list all significant proposed project dates, including the start date, completion date, date of project transfer to the FAA (if applicable), and key interim milestone dates. Sponsors are reminded that, at the time of transfer, the project should be operable and maintainable by the FAA and should comply with FAA Order 6700.20, Non-Federal Navigational Aids and Air Traffic Control Facilities, or any successor Order then in effect.

d. Financial Plan: The Financial Plan should contain: (1) The proposed local and Federal cost shares, (2) evidence of the sponsor's ability to provide funds for its cost share (e.g., approved local appropriation or Memorandum of Agreement); and (3) any commitment the sponsor might choose to offer for the assumption and liability of cost overruns aside from the liability criterion provided earlier in this notice.

e. Letter of Commitment: Sponsors should demonstrate a commitment to the project, as evidenced by a Letter of Commitment signed by all project participants (including any participating air carriers). The letter should, at a minimum, include a list of the participating agencies and organizations in the proposed project; the roles, responsibilities and relationship of each participant; and the name, address, and telephone number of the individual representing the sponsor.

f. Letter of Acknowledgement/Support: The application should include a letter of acknowledgment/support from the applicable State Department of Transportation and/or other appropriate jurisdiction (to avoid circumventing State and metropolitan planning processes).

The FAA will review and evaluate the Phase 2 applications using a panel of technical program experts, based on the criteria outlined below in Section 3.6. Following its evaluations, the review panel will prioritize and recommend to the FAA's Associate Administrator for Air Traffic Services and the Associate Administrator for Research and Acquisition those applications that it believes should be accepted. If the FAA selects a project for inclusion in the pilot program, an agreement will be executed between the sponsor and the FAA.

### 3.5.3 Subsequent Application and Selection Cycles (if any)

If fewer than the statutorily-limited ten projects have been approved following the initial round of Phase 1 and 2 applications, FAA will repeat the Phase 1 and 2 application processes on an annual basis, until the earlier of: May 15, 2003, or that point in time when the ten project limit is reached (see Schedule Summary in Section 3.7 below). The May 15, 2003, cutoff date is based on an allowance of time for FAA to process Phase 2 applications and make selections prior to the statutory authorization expiring at the end of fiscal year 2003. FAA cannot and does not extend any assurance or implication that any residual authority will remain following the first round of Phase 1 and 2 applications.

### 3.6 Application Evaluation and Screening Criteria

The FAA will consider the following elements in evaluating applications:

a. Compliance with statutory criteria, FAA's supplemental criteria, and application procedures

b. Degree to which the project relates to FAA's strategic goals for safety,

efficiency and mobility, as well as the national airspace system architecture

c. Impact on the airport, region, and national airspace system

d. Likelihood of project success

e. Availability of FAA resources

f. Ease of administration (acquisition, installation, etc.)

g. Ability of sponsor to provide its cost share

h. Evidence that the project can be implemented in a timely manner

i. Equity and diversity with respect to project type, geography, and population served

j. Degree of Federal leveraging (degree to which the proposal minimizes the ratio of Federal costs to total project costs)

k. Cost to the FAA: (1) up-front cost-share; and, if applicable, (2) post-transfer life-cycle operating and maintenance costs

### 3.7 Schedule Summary

Milestone	Date
First-Round of Applications:	
Phase 1 Applications due to FAA .....	1/19/2001
FAA Responses to Sponsors' Phase 1 Applications .....	3/16/2001
Phase 2 Applications due to FAA .....	6/1/2001
FAA Announcement of First-Round Approvals ...	7/13/2001
Second-Round of Applications (if needed):	
Phase 1 Applications due to FAA .....	12/14/2001
FAA Responses to Sponsors' Phase 1 Applications .....	2/15/2002
Phase 2 Applications due to FAA .....	5/15/2002
FAA Announcement of Second-Round Approvals .....	7/15/2002
Third-Round of Applications (if needed):	
Phase 1 Applications due to FAA .....	12/13/2002
FAA Responses to Sponsors' Phase 1 Applications .....	2/14/2003
Phase 2 Applications due to FAA .....	5/15/2003
FAA Announcement of Third-Round Approvals ..	7/15/2003

### 3.8 Project Implementation Information

During the life of the project, the FAA may collect data from the sponsor and conduct (with non-project funds) independent evaluations of the project's impact on safety, efficiency, and mobility objectives. This will allow the FAA to ascertain the success of the pilot program. The life of the program is

currently limited by AIR-21 to the end of fiscal year 2003.

### 4. Impact of Final Guidelines

Potential costs and benefits of the final guidelines have been reviewed consistent with the intent of Executive Order 12866 (Regulatory Planning and Review), the Regulatory Flexibility Act of 1980, Executive Order 13132 (Federalism), Office of the Secretary of Transportation direction on evaluation of international trade impacts, and the Unfunded Mandates Reform Act of 1995.

With respect to the focus of Executive Order 12866, there are no significant costs imposed by the guidelines. The benefit of the guidelines is efficient communication between the FAA and potential project sponsors about the basis and timing which the FAA will employ in selecting pilot program projects and the type of information needed by the FAA to evaluate proposed projects. Potential pilot program project sponsors will only apply for consideration if they believe that they will benefit from

consideration. To minimize the costs of application, the guidelines encourage sponsors to provide information wherever possible from existing studies, plans, and other documents. Further, the guidelines request that initial project proposals provide limited detail about the project. Potential sponsors will be asked for additional information only if the FAA believes that the proposal meets the objective of the pilot program based on the limited initial information submission. Facilities and equipment currently incorporated in the federal airport and airway system architecture and approved for acquisition will be implemented, regardless of whether they are selected as a pilot project. Further, in implementing the pilot program, the FAA will not alter the sequence of implementation of system architecture in a manner that would delay achieving overall safety or efficiency benefits. Therefore, the FAA believes that the benefits of the final guidelines exceed their costs.

Airports that are considered small entities may apply to sponsor or participate in pilot projects. Small airports are defined by the Small Business Administration as airports owned by local governments for areas with populations of 200,000 or less. Program participation is voluntary and, as explained above, the cost of application is not considered significant. Because, by statute, the majority of project funding must be provided by the sponsor, few small airports or airlines are likely to elect to

participate in the pilot program. Therefore, the FAA certifies that the final guidelines will not have a significant economic impact on a substantial number of small entities.

The FAA has analyzed the final guidelines under the principles and criteria of Executive Order 13132, Federalism. With few exceptions, States do not directly own or operate airports, but public airports are frequently owned and operated by either regional transportation authorities or local governments. The pilot program authorized by Congress which is the subject of these guidelines does not require participation by States, regional transportation authorities, or local governments, but rather permits the formation of a voluntary partnership between the FAA, airports, and airlines on projects considered to be of mutual benefit. These projects will ultimately be paid for by air passengers and shippers, either through fares or freight tariffs, airport charges, or aviation user taxes. FAA facilities and equipment are currently financed by passenger and shippers through aviation user taxes. Program guidelines described in this notice are intended to facilitate communication necessary to implement the pilot projects. By entering into these cooperative relationships, the FAA will not abrogate its responsibilities for the provision and maintenance of air traffic control and airway facilities and equipment, but rather may expedite the implementation of such facilities and equipment. In the absence of the pilot program, the facilities and equipment would ultimately be provided by the federal government and paid for by airline passengers and shippers. Once completed, the projects will be operated and maintained as a part of the federal airway system, if the sponsor elects to transfer the project to the FAA. The FAA has determined that this action does not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the FAA has determined that these guidelines do not have federalism implications.

The final guidelines will not impose a competitive advantage or disadvantage on either U.S. air carriers operating abroad or on foreign carriers operating to and from the United States. Further, these guidelines, *per se*, will have no effect on the sale of foreign aviation products or services in the United States, nor will they have any effect on the sales of U.S. aviation products in foreign countries. To the extent that

pilot program projects improve aviation safety and airport and airway system efficiency, both domestic and foreign commerce will generally be enhanced.

The final guidelines do not create a federal mandate. Therefore, the requirements of Title II of the Unfunded Mandates Reform Act of 1995 do not apply.

## 5. References

The following list outlines references cited above:

OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, revised August 29, 1997.

Report FAA-APO-98-4, Economic Analysis of Investment and Regulatory Programs—Revised Guide. Available upon request from the FAA's Office of Aviation Policy and Plans, telephone 202-267-3308. It may also be found on the Internet at: [http://api.hq.faa.gov/apo\\_pubs.htm](http://api.hq.faa.gov/apo_pubs.htm).

Report FAA-APO-98-8, Economic Values for Evaluation of Federal Aviation Administration Investment and Regulatory Programs. Available upon request from the FAA's Office of Aviation Policy and Plans, telephone 202-267-3308. It may also be found on the Internet at: [http://api.hq.faa.gov/apo\\_pubs.htm](http://api.hq.faa.gov/apo_pubs.htm).

FAA Order 7031.2C, Airway Planning Standard Number One, through Change 12. Available upon request from the FAA's Office of Aviation Policy and Plans, telephone 202-267-3308.

FAA Order 6700.20, Non-Federal Navigational Aids and Air Traffic Control Facilities. Available upon request from the FAA's NAS Operations Program Office, telephone 202-267-3034.

Issued in Washington, DC on November 30, 2000.

**Nan Shellabarger,**  
Deputy Director, Office of Aviation Policy and Plans.

[FR Doc. 00-31091 Filed 12-5-00; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33955]

**Ohio Southern Railroad, Incorporated—Acquisition and Operation Exemption—CSX Transportation, Inc.**

Ohio Southern Railroad, Incorporated (OSRR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire by purchase from CSX Transportation, Inc. (CSXT) and operate approximately 1.5-route miles of rail line, including connecting track, located between milepost 16.7 and milepost 18.2, in Zanesville, Muskingum County, OH (Subject Line). In addition, OSRR will acquire

incidental overhead trackage rights over approximately 2.4 miles of CSXT's main line track and access over the transfer tracks in the Zanesville area.<sup>1</sup>

The transaction was scheduled to be consummated on November 22, 2000, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33955, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kelvin J. Dowd, Esq., Slover & Loftus, 1224 Seventeenth Street, N.W., Washington, DC 20036.

Board decisions and notices are available on our website at “[www.stb.dot.gov](http://www.stb.dot.gov).”

Decided: November 27, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 00-30656 Filed 12-5-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 27, 2000.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

<sup>1</sup> In a related proceeding, OSRR has agreed to grant certain overhead trackage rights over the Subject Line to CSXT to enable CSXT to continue providing service to its existing customers. See STB Finance Docket No. 33962, *CSX Transportation, Inc.—Trackage Rights Exemption—Ohio Southern Railroad, Incorporated*.

**DATES:** Written comments should be received on or before January 5, 2001, to be assured of consideration.

### Bureau of the Public Debt (PD)

*OMB Number:* 1535-0089.

*Form Number:* None.

*Type of Review:* Extension.

*Title:* Implementing Regulations: Government Securities Act of 1986, as Amended.

*Description:* The regulations require government securities broker/dealers to make and keep certain records concerning government securities activities, to submit financial reports and make certain disclosures to investors. The regulations also require depository institutions to keep certain records of non-fiduciary custodial holdings of government securities. The regulations and associated collections are fundamental to customer protection and financial responsibility.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents/Recordkeepers:* 16,931.

*Estimated Burden Hours Per Respondent/Recordkeeper:* 21 hours, 50 minutes.

*Frequency of Response:* On occasion, Monthly, Quarterly, Annually, Other.

*Estimated Total Reporting/Recordkeeping Burden Hours:* 369,620 hours.

*OMB Number:* 1535-0104.

*Form Number:* PD F 2066.

*Type of Review:* Extension.

*Title:* Application by Survivors for Payment of Bond or Check Issued Under the Armed Forces Leave Act of 1946, as Amended.

*Description:* PD F 2066 is used as an application by survivors for payment of a bond or check issued under the Armed Forces Leave Act of 1946 to veterans of WW II.

*Respondents:* Individuals or households.

*Estimated Number of Respondents:* 400.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden Hours:* 200 hours.

*OMB Number:* 1535-0105.

*Form Number:* PD F 2481.

*Type of Review:* Extension.

*Title:* Application for Recognition as Natural Guardian of Minor Not Under Legal Guardianship and for Disposition of Minor's Interest in Registered Securities.

*Description:* The form is used by the natural guardian of a minor not under legal guardianship to request disposition of securities erroneously registered in the name of the minor.