

Dated: July 17, 1997.

**Jennifer C. Ward,**

*Acting Director General of the Foreign Service  
and Director of Personnel.*

[FR Doc. 97-20778 Filed 8-6-97; 8:45 am]

BILLING CODE 4710-15-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at Modesto City-County Harry Sham Field Airport, Modesto, California**

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

**ACTION:** Notice of Intent to Rule on Application.

**SUMMARY:** The Federal Aviation Administration (FAA) proposes to rule and invites public comment on the application to use revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) and 14 CFR Part 158).

**DATES:** Comments must be received on or before September 8, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Airports Division, P.O. 92007, Worldway Postal Center, Los Angeles, CA 90009 or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlington, CA. 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Howard Cook, Airport Manager of the Modesto City-County Airport at the following address: 617 Airport Way, Modesto, California 95354. Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of Modesto under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Marlys Vandervelde, Airports Program Specialist, Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA. 94010-1303, Telephone: (415) 876-2806. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety

and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158)). On May 21, 1997, the FAA determined that the application to use the revenue from a PFC submitted by the city of Modesto was not substantially complete with the requirements of section 158.25 of Part 158. The following items were required to complete the application: Block 7 of FAA Form 5500-1 needed to be filled in, project objective of Attachment B needed additional information and the application was submitted prior to the end of the 30 day comment period from the date of written notice to the carriers. On June 17, 1997, the city of Modesto supplemented their application providing the necessary information. On July 17, 1997, the FAA determined that the application is substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 17, 1997.

The following is a brief overview of the use application number 97-04-U-00-MOD:

*Level of proposed PFC:* \$3.00.

*Actual charge effective date:* August 1, 1994.

*Proposed charge expiration date:* August 1, 2000.

*Total estimated PFC revenue to be used on these use projects:* \$44,400.

*Brief description of the use projects:* Relocate Runway 10R/28L Edge Lights and Runway 10L/28R Payment Overlay.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Air Taxi Operators.

These projects were previously approved as impose only projects contained within an overall PFC package which was approved on May 23, 1994. Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Modesto, CA.

Issued in Hawthorne, California, on July 21, 1997.

**Ellsworth L. Chan,**

*Acting Manager, Airports Division, Western-Pacific Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent to Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Outagamie County Airport, Appleton, Wisconsin**

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

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Outagamie County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before September 8, 1997.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address.

Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, Minnesota 55450.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Debra Giuffre, Airport Manager of the Outagamie County Airport at the following address: W6390 Challenger Drive, Suite 201, Appleton, WI 54915.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the County of Outagamie under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Sandra E. DePottay, Program Manager, Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, MN 55450, 612-713-4363. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Outagamie County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 31, 1997 the FAA determined that the application to impose and use the revenue from a PFC submitted by County of Outagamie was substantially

complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 28, 1997.

The following is a brief overview of the application.

*PFC application number:* 97-02-C-00-ATW.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* October 1, 1997.

*Proposed charge expiration date:* January 1, 1999.

*Total estimated PFC revenue:* \$656,250.

*Brief description of proposed project(s):* Baggage Claim Expansion.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Outagamie County Airport W6390 Challenger Drive, Suite 201, Appleton, WI 54915.

Issued in DesPlaines, IL on July 31, 1997.

**Benito De Leon,**

*Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### **Voluntary Intermodal Sealift Agreement (VISA) (62 FR 6837, February 13, 1997)**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of Meeting with Tug/Barge Operators and Charter Carriers.

#### **Introduction**

On June 25, 1997, the Maritime Administration (MARAD) and the United States Transportation Command (USTRANSCOM), co-hosted a public meeting focused primarily on the U.S.-flag tug/barge and charter carriers to provide background information and discuss the advantages of becoming a participant in the Voluntary Intermodal Sealift Agreement (VISA) Program.

The VISA program was established pursuant to section 708 of the Defense Production Act of 1950, as amended, which provides for voluntary agreements for preparedness programs. After review of a one-year prototype, VISA was approved January 30, 1997 and published in the **Federal Register** on February 13, 1997.

The mission of VISA is to make intermodal shipping services/systems, including ships, ships' space, intermodal equipment and related management services available to the Department of Defense (DoD) as required to support the emergency deployment and sustainment of U.S. military forces.

Subsequent to publication in the **Federal Register**, MARAD and DoD centered attention on enrolling carriers in the U.S. liner trades in the VISA program. Currently, 18 U.S. carriers have enrolled in the program.

MARAD and DoD have expanded their focus to the tug/barge operators and charter carriers. Tug/barge operators are targeted because they can play an important role in executing contingency plans. Tug/barge operators can provide capacity for intertheater logistics and domestic trade backfill. Charter carriers are important because they provide capacity for sealift, prepositioning and other DoD charters.

The June 25 meeting was attended by 11 representatives, including brokers, of the tug/barge and charter industry, MARAD and various DoD agencies to include USTRANSCOM and Military Sealift Command.

#### **Purpose of the meeting**

The purpose of the meeting was to establish contact with and inform the U.S.-flag tug/barge and charter industry about the objectives and benefits of the VISA program. The U.S. Government's objectives include: assured access to capacity when needed; contractual commitment and prenegotiated rates; and, planned partnership with commercial sector. The benefits to the industry include: knowledge of DoD sealift requirements; fair compensation for risk incurred; protection of market share; and, flexibility to provide a full range of sealift services not just specific ships.

#### **Advantages of participation during peacetime**

Because enrollment of carriers in the VISA provides assured access to sealift services based on a level of commitment as well as a mechanism for joint planning, DoD will prioritize the award of peacetime cargo to VISA participants. This will apply to liner trades and charter contracts alike.

The joint DoD/Department of Transportation/Industry planning authority provided under VISA is a significant step forward in fostering a partnership between industry and Government. The forum allows the Government and industry to learn about their respective needs and capabilities,

and will facilitate better coordination of combined resources during contingencies.

#### **Participants**

Any U.S.-flag vessel operator willing to commit sealift assets and assume the related consequential risks, may be eligible to participate in the VISA program.

While vessel brokers and agents play an important role as a conduit to locate and secure appropriate vessel tonnage for the carriage of DoD cargo, they may not become participants in the VISA program. However, the carriers they represent should be encouraged to join the program.

#### **Commitment**

A carrier desiring to participate in DoD peacetime contracts/traffic must commit no less than 50 percent of its total U.S.-flag capacity in Stage III of the VISA program. Under Stages I and II, DoD will annually develop and publish minimum commitment requirements. To minimize domestic commercial disruption, a participant exclusively operating vessel capacity in the domestic Jones Act trade is not required to commit vessel capacity to VISA Stages I and II. Commitment requirements are based on annual enrollment.

In order to protect a carrier's market share during activation, VISA allows participants to join with other carriers in Carrier Coordination Agreements to satisfy its commercial or DoD contingency requirements. VISA provides a defense against antitrust laws in accordance with section 708 of the Defense Production Act of 1950.

#### **Compensation**

In addition to receiving priority in the award of DoD peacetime cargo, compensation during activation is revenue based on a rate methodology which is commensurate with risk and service provided. The rate methodology determination for liners and charters continues to undergo development.

#### **Enrollment**

In order to participate in the VISA program a carrier should submit duplicate originals of the VISA Agreement to Participate to MARAD. Once MARAD has reviewed, approved and countersigned the VISA agreement, the participant will execute a VISA Enrollment Contract with the Military Traffic Management Command/Joint Traffic Management Command which specifies its Stage III commitment and codifies the terms and conditions.