Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Minneapolis-St. Paul Metropolitan Airports Commission under section 158.24 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Gordon Nelson, Program Manager, Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, Minnesota 55450, (612) 713–4358. 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 Minneapolis-St. Paul International Airport under the provisions of the Aviation Safety and Capacity Extension 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 September 21, 1998, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Minneapolis-St. Paul Metropolitan Airports Commission 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 December 19, 1998.

The following is a brief overview of the application.

PFC application number: 98–04–C–00–MSP.

Level of the proposed PFC: $3.00.

Proposed charge effective date: January 1, 2000.

Proposed charge expiration date: June 1, 2001.

Total estimated PFC revenue: $55,460,000.00.

Brief description of proposed projects: Snow removal equipment storage building addition; Maintenance campus site work; Hangars 1 & 2 demolition; Taxiway W construction; Part 150 residential noise mitigation; MAC building demolition; Runway 12R/30L tunnel rehabilitation; Security fence upgrade; Stormwater collection/detention ponds; Electrical systems computerization; Run-up pad blast fence. Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators (ATCO) filing FAA Form 1800–31.

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 Minneapolis-St. Paul Metropolitan Airports Commission office.

Issued in Des Plaines, Illinois, on September 25, 1998.

Nancy Nistler,

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

[FR Doc. 98–26613 Filed 10–2–98; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[FHWA Docket FHWA–98–4300]

Transportation Equity Act for the 21st Century; Implementation for Participation in the Value Pricing Pilot Program

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice; solicitation for participation.

SUMMARY: This notice invites State or local governments or other public authorities to make applications for participation in the Value Pricing Pilot Program (Pilot Program) authorized by section 1216(a) of the Transportation Equity Act for the 21st Century (TEA–21) (Pub. L. 105–178, 112 Stat. 107) and presents guidelines for program applications. This document also describes the legislative mandate for the Pilot Program and procedures which will be used to implement the program. As described in the background section of this notice, and in keeping with the DOT's broad outreach on TEA–21 programs, the procedures described in this notice reflect the valuable contributions of FHWA's State and local partners and many others who have participated in a series of regional workshops and an October 1997, Project Partners' Retreat. The FHWA will accept comments on these administrative guidelines throughout the life of the Pilot Program and, as necessary, will issue additional guidance in response to public comments and program experience.

DATES: The solicitation for participation in the Pilot Program will be held open until further notice.

FOR FURTHER INFORMATION CONTACT: Mr. John T. Berg, Highway Revenue and Pricing Team, HPP–10, (202) 366–0570; or Mr. Wilbert Baccus, Office of the Chief Counsel, HCC–32, (202) 366–0780; FHWA, 400 Seventh Street, SW., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION:

Electronic Access

Internet users can access all comments received by the U.S. DOT Dockets, Room PL–401, by using the universal resource locator (URL): http://dms.dot.gov. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

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

Section 1216(a) of TEA–21 authorizes the Secretary of Transportation (the Secretary) to create a Pilot Program by entering into cooperative agreements with up to fifteen State or local governments or other public authorities, to establish, maintain, and monitor local value pricing pilot programs. Section 1216(a)(4) amends section 1012(b)(4) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub.L. 102–240, 105 Stat. 1914, by providing that any value pricing project included under these local programs may involve the use of tolls on the Interstate system. This is an exception to the general provisions concerning tolls on the Interstate system as contained in 23 U.S.C. 129 and 301. A maximum of $7 million is authorized for fiscal year 1999, and $11 million for each of the fiscal years 2000 through 2003 to be made available to carry out Pilot Program requirements. The Federal matching share for local programs is 80 percent. Funds allocated by the Secretary to a State under this section shall remain available for obligation by the State for a period of three years after the last day of the fiscal year for which funds are authorized. If, on September 30 of any year, the amount of funds made available for the Pilot Program, but not allocated, exceeds $8 million, the excess amount will be apportioned to all States for purposes of the Surface Transportation Program.

Funds available for the Pilot Program can be used to support pre-project study activities and to pay for implementation costs of value pricing projects.

Section 1216 (a)(5) of TEA–21 amends section 1012(b) of ISTEA by adding subsection (6) which provides that a State may permit vehicles with fewer than two occupants to operate in high occupancy vehicle (HOV) lanes if the vehicles are part of a local value pricing pilot program under this section. This is an exception to the general provision contained in 23 U.S.C. 102, that no fewer than two occupants per vehicle be allowed on HOV lanes. Potential financial effects of value pricing projects on low-income drivers shall be considered and, where such effects are expected to be significant, possible mitigation measures should be identified. The costs of such mitigation measures can be included as part of the value pricing project implementation cost. The Secretary is to report to Congress every two years on the effects of local value pricing pilot programs.

The Value Pricing Pilot Program is a continuation of the congestion Pricing Pilot Program authorized by section 1012(b) of the ISTEA. Under this program, pricing projects have reached the implementation stage in San Diego, California; Lee County, Florida; and Houston, Texas. In addition, pre-program planning activities have been supported in Portland, Oregon; Los Angeles, San Francisco and Sonoma County, California; Boulder, Colorado; Minneapolis/St. Paul, Minnesota; and Westchester County, New York. Funds were also used to support the California DOT's monitoring and evaluation study of the private, variable-priced toll lanes along State Route 91 in Orange County, California.

An important aspect of the ISTEA program was the Federal/State/local partnership that was created as part of the program's development. The Value Pricing Pilot Program described in this notice builds upon that partnership and the experience of the ISTEA program. In particular, the views and concerns of the FHWA's project partners, and other interested parties, were solicited during a series of regional workshops that were sponsored as part of the ISTEA program, and in a Project Partners' Retreat that was held in October 1997. This notice reflects these valuable contributions.

Purpose

The purpose of this notice is to provide general information about the Pilot Program and FWHA's plans for implementing the program, and to invite State or local governments or other public authorities to make applications for participation in the Pilot Program.

Definitions

Value pricing, congestion pricing, peak-period pricing, variable pricing, or variable tolling, are all terms used to refer to direct point/time-of-travel charges for road use, possibly varying by location, time of day, severity of congestion, vehicle occupancy, or type of facility. By shifting some trips to off-peak periods, to mass transit or other higher-occupancy vehicles, or to routes away from congested facilities, or by encouraging consolidation of trips, value pricing charges are intended to promote economic efficiency both generally and within the commercial freight sector, and to achieve congestion reduction, air quality, energy conservation, and transit productivity goals.

A value pricing project means any implementation of value pricing concepts or techniques meeting the definitions contained in this notice and included under a *local value pricing pilot program* under this section, where a local value pricing pilot program includes one or more value pricing projects serving a single geographic area, such as a metropolitan area, and included under a single cooperative agreement with the FHWA. *Cooperative agreement* means the agreement signed between the FHWA and a State or local government, or other public authority to implement local value pricing pilot programs under this section.

Program Objective

The overall objective of the Pilot Program is to support efforts by State and local governments or other public authorities to establish local value pricing pilot programs, to provide for the monitoring and evaluation of value pricing projects included in such programs, and to report on their effects. While the Pilot Program's primary focus is on value pricing on roads, attention will also be given to the use of other market-based approaches to congestion relief, such as parking pricing, if they incorporate significant price variations by time, location, and/or level of congestion.

Potential Project Types

The FHWA is seeking proposals to use value pricing projects to reduce congestion and promote mobility. Value pricing charges are expected to accomplish this purpose by encouraging the use of alternative times, modes, routes, or trip patterns. To this end, and to increase the likelihood of generating information on a variety of useful value pricing strategies, proposed projects having as many of the following characteristics as possible will receive highest priority for Federal support. Projects of interest include:

1. Applications of value pricing which are comprehensive, such as areawide pricing, pricing of multiple facilities or corridors, and/or combinations of road pricing and parking pricing.

2. Pricing of key traffic bottlenecks, single traffic corridors, or pricing on single highway facilities, including bridges and tunnels. Proposals to shift from a fixed to a variable toll schedule on existing toll facilities are encouraged (i.e., combinations of peak-period surcharges and off-peak discounts).

3. More limited applications of value pricing are also acceptable, including pricing on lanes otherwise reserved for high occupancy vehicles, known as high occupancy toll (HOT) lanes, or pricing on newly constructed lanes. Highest priority will be given to lane pricing proposals which cover multiple facilities and/or offer innovative pricing, enforcement, or operational technologies. In order to protect the integrity of HOV programs, the FHWA will give priority to those HOT lane proposals where it is clear that an HOV lane is underutilized and where local officials can demonstrate that the pilot project would not undermine a long-term regional strategy to increase ridesharing. In addition, areas proposing HOT lane projects are encouraged to use revenues from the project to promote improved transit service or other programs that will encourage transit use and ridesharing.

4. Innovative time-of-day parking pricing strategies, provided the level and coverage of proposed parking charges is sufficient to reduce congestion. Parking pricing strategies which are integrated with other market-based pricing strategies (e.g., value pricing) are encouraged. Parking pricing strategies should be designed to influence trip-making behavior, and might include peak-period parking surcharges, or policies such as parking cash-out, where cash is offered to employees in lieu of subsidized parking. Pricing of a single parking facility, coverage of a few employee spaces, or pricing of parking spaces in a small area, for example, are unlikely to receive priority treatment, unless they incorporate a truly unique element which might facilitate broader applications across local areas and States.

5. Projects with anticipated value pricing charges which have the key characteristic that they are targeted at vehicles causing congestion, and they are set at levels significant enough to encourage drivers to use alternative times, routes, modes, or trip patterns during congested periods. Proposed projects which contemplate value pricing charges which are not

significant enough to influence demand, such as minor increases in fees during peak-periods, or moderate toll increases instituted primarily for financing purposes, will be given low priority.

6. Projects which are likely to add to the base of knowledge about the various design, implementation, effectiveness, operational, and acceptability dimensions of value pricing. The FHWA is seeking information related to the impacts of value pricing on travel behavior (mode use, time-of-travel, trip destinations, trip generation, etc., by private and commercial trips); on traffic conditions (trip lengths, speeds, level of service); on implementation issues (technology, innovative pricing techniques, public acceptance, administration, operation, enforcement, legality, institutional issues, etc.); on revenues, their uses and financial plans; on different types of users and businesses; and on measures designed to mitigate possible adverse impacts and their effectiveness. These diverse information needs mean that the FHWA may fund different types of value pricing applications in different local contexts to maximize the learning potential of the pilot program.

7. Projects which do not have adverse effects on alternative routes or modes, or on low-income or other transportation disadvantaged groups. If such effects are anticipated, proposed pricing programs should incorporate measures to mitigate any major adverse impacts, including enhancement of transportation alternatives for peak-period travelers.

8. Projects which indicate that revenues will be used to support the goals of the value pricing project and to mitigate any adverse impacts of the project.

While the FHWA is seeking proposals that incorporate some, or all of these project characteristics, these guidelines are intended only to illustrate selection priorities, not to limit potential program participants from proposing new and innovative pricing approaches for incorporation in the program.

Pre-Project Studies

A small amount of Pilot Program funds will be used to assist State and local governments in carrying out pre-project study activities designed to lead to implementation of a value pricing project, including activities such as pre-project planning, public participation, consensus building, modeling, impact assessment, financial planning studies, and work necessary to meet any Federal or State environmental or other planning requirements. The intent of the pre-project study phase of the Pilot Program is to support efforts to identify and evaluate value pricing project alternatives, and to prepare the necessary groundwork for possible future implementation. Purely academic studies of value pricing (not designed to lead to possible project implementation), or broad, areawide planning studies which incorporate value pricing as an option, will not be funded under this program. Broad planning studies can be funded with regular Federal-aid highway or transit planning funds. Proposals for pre-project studies will be selected based on the likelihood that they will lead to implementation of pilot tests of value pricing meeting the characteristics described in the previous section.

Eligible Costs

Funds available for the Pilot Program can be used to support pre-project study activities and to pay for implementation costs of value pricing projects. Costs eligible for reimbursement under section 1216(a) of TEA–21 include costs of planning for, setting up, managing, operating, monitoring, evaluating, and reporting on local value pricing pilot projects. Examples of specific costs eligible for reimbursement include the following:

1. *Pre-Project Study Costs*—All costs of pre-project study activities, including costs of pre-project planning, public participation, consensus building, marketing research, impact assessment, modeling, financial planning, technology assessments and specifications, and other work necessary for defining value pricing projects for implementation, and doing necessary design work to bring projects to the point where they can be implemented. Costs of pre-project study activities cannot be reimbursed for longer than three years.

2. *Implementation Costs*—Implementation costs are costs necessary for implementation of specific value pricing projects identified during the pre-project study phase of the program, including costs for setting up, managing, operating, evaluating, and reporting on a value pricing project, including:

a. Costs associated with implementation of a value pricing project, including necessary salaries and expenses or other administrative and operational costs, such as installation of equipment necessary for operation of a pilot project (e.g., AVI technology, video equipment for traffic monitoring, other instrumentation), enforcement costs, costs of monitoring and evaluating project operations, and costs of continuing public relations activities during the period of implementation.

b. Costs of providing transportation alternatives, such as, new or expanded transit service provided as an integral part of the value pricing project. Funds are not available to replace existing sources of support for transit services.

c. Depending on the availability of funds, a limited amount of funds may be made available to serve as a revenue reserve fund to provide assurance to toll authorities that a pilot test of value pricing would not jeopardize their bond covenants. For example, a toll authority might propose a revenue-neutral pricing strategy with peak-period surcharges and off-peak discounts designed to shift demand patterns and improve customer service, or to reduce the need for future capacity expansion. Even though no reduction in toll revenues is intended, FHWA recognizes that forecasting traffic and revenue changes is inherently uncertain, and the availability of a reserve fund to offset any unintended toll revenue losses is intended to help overcome institutional barriers to the testing and use of value pricing by existing toll authorities.

Project implementation costs can be supported for a period of at least one year, and thereafter until such time that sufficient revenues are being generated by the project to fund its implementation costs without Federal support, except that implementation costs for a pilot project cannot be reimbursed for longer than three years. Each implementation project included in a local value pricing pilot program will be considered separately for this purpose. Funds may not be used to pay for activities conducted prior to approval of Pilot Program participation. Funds may not be used to construct new highway through lanes, bridges, etc., even if those facilities are to be priced, but toll ramps or minor pavement additions needed to facilitate toll collection or enforcement are eligible.

Complementary actions, such as, construction of HOV lanes, implementation of traffic control systems, or transit projects can be funded through other highway and transit programs eligible under TEA–21. Those interested in participating in the Pilot Program are encouraged to explore opportunities for combining funds from these other programs with Pilot Program funds.

Eligible Uses of Revenue

Revenues generated by a pilot project must be applied first to pay for pilot project implementation costs as defined above. Any project revenues in excess of pilot project implementation expenses, may be used for any programs eligible under Title 23, U.S.C. Uses of revenue are encouraged which will support the goals of the value pricing program, particularly uses designed to provide benefits to those traveling in the corridor where the project is being implemented.

Applying for Program Participation

Qualified applicants include local, regional and State government agencies, as well as public tolling authorities. Although project agreements must be with public authorities, a local value pricing program partnership may also include private tolling sponsors and authorities. To streamline the process of applying for program participation as much as possible, it is suggested that, prior to submitting a formal application for program participation, potential applicants contact their State FHWA Division Office and/or the FHWA Pricing Team in the Office of Policy Development to discuss their interest in the Pilot Program and the general nature of the proposed local value pricing pilot program or pre-project study. The FHWA will then be able to provide materials and technical support to assist in the development of the application. Following this initial contact, a sketch plan for the proposed pricing program should be submitted before a full scale proposal is developed. The sketch plan should, as a minimum, provide a brief description of the following:

1. Congestion problem to be addressed.
2. Nature of proposed or potential pricing projects to respond to that problem, including overall project goals, potential facilities to be included, time line for study and possible implementation of value pricing projects.
3. Parties proposed as being signatories to the cooperative agreement with the FHWA (as a minimum, the local Metropolitan Planning Organization (MPO), and the owner/operator of the facility or facilities to be priced, must endorse or express support for the program). Indications of support from affected parties, including representatives of business, labor, industry, transportation users, and/or local residents, or plans for obtaining such support should be included.
4. Extent of public participation in the development of the proposal, or of plans for future public participation activities. Potential equity consequences of any proposed projects should be portrayed in general terms, and if adverse impacts are anticipated, preliminary plans for responding to such problems should be identified.
5. Legal and administrative authority needed to carry out a value pricing project, extent to which these have been obtained, and further steps needed to obtain necessary authority.
6. Plans for pre-project study, or findings from pre-project studies that have already been completed.

The sketch plan should be submitted through the MPO and/or State Department of Transportation to the appropriate FHWA Division Administrator, who will forward the plan to FHWA's Director, Office of Policy Development, where the FHWA Pricing Team is located.

Based on its initial review of the initial sketch plan, the FHWA will work with the proposing authority to develop a detailed proposal for review by the Federal Interagency Review Group which provides support to the FHWA in evaluating program applications (see "Review Process," below). Ideally, the detailed proposal will include:

1. Detailed description of the congestion problem being addressed (current and projected);
2. Detailed description of the proposed pricing program and its goals, including description of facilities included, expected pricing schedules, technology to be used, enforcement programs, and so on;
3. Preliminary estimates of the social and economic effects of the pricing program, including potential equity impacts, and a plan or methodology for further refining these estimates for all pricing project(s) included in the program;
4. The role of alternative transportation modes in the project, and anticipated enhancements proposed to be included in the pricing program.
5. A time line for the pre-project study and implementation phases of the project (proposals indicating early implementation of pricing projects that will allow evaluation during the life of TEA–21 will receive priority);
6. A description of tasks to be carried out as part of each phase of the project, and an estimate of costs associated with each;
7. Plans for monitoring and evaluating value pricing projects, including plans for data collection and analysis, before and after assessment, and plans for long term monitoring and documenting of project effects;
8. A detailed finance and revenue plan, including a budget for capital and operating costs; a description of all funding sources, planned expenditures, proposed uses of revenues, and a plan for projects to become financially self-sustaining (without Federal support) within three years of implementation.
9. Plans for involving key affected parties, coalition building, media relations, etc., including either demonstration of previous public involvement in the development of the proposed pricing program, or plans to ensure adequate public involvement prior to implementation;
10. Plans for meeting all Federal, State and local legal and administrative requirements for project implementation, including necessary Federal-aid planning and environmental requirements. Priority will be given to proposals where projects are included as a part of (or are consistent with) a broad program addressing congestion, mobility, air quality and energy conservation, where an area has congestion management systems (CMS) for Transportation Management Areas (urbanized areas over 200,000 population or those designated by the Secretary) and the congestion mitigation and air quality (CMAQ) program. If some of these items are not available or fully developed at the time the proposal is submitted, proposals will still be considered for support if they meet some of the priority interests of the FHWA as described under "Potential Project Types," and include some of the proposal characteristics described in this section, and there is a strong indication that these items will be completed within a short time.

Review Process

Upon receipt of the detailed proposal, the FHWA's Pricing Team will arrange for a review of the proposal by the Federal Interagency Review Group established to assist the FHWA in assessing the likelihood that proposed local value pricing programs will provide valid and useful tests of value pricing concepts. The Review Group is composed of representatives of several concerned offices in the U.S. DOT, including offices in FHWA, Federal Transit Administration, Office of the Secretary of Transportation, and Office of Intermodalism. The Environmental Protection Agency is also represented on the Review Group. To facilitate review, applicants should submit ten copies, plus an unbound reproducible copy, of the proposal. The FHWA will review applications received and make selections of program participants based on the criteria contained in this notice. As with the sketch plan, detailed proposals should be submitted through the MPO and/or State DOT to the appropriate FHWA Division Administrator, who will forward the plan to the FHWA's Director, Office of Policy Development.

Cooperative Agreement

Based on the recommendations of the Review Group, the FHWA will identify those Pilot Program proposals which have the greatest potential for promoting the objectives of the Pilot Program, including demonstrating the effects of value pricing on driver behavior, traffic volume, ridesharing, transit ridership, air quality, availability of funds for transportation programs, and other measures of the effects of value pricing. Those Pilot Program candidates will then be invited to enter into negotiations with the FHWA to develop a cooperative agreement under which the scope of work for the value pricing program will be defined. The cooperative agreement will be governed by the Federal statutes and regulations cited in the agreement and 49 CFR part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, as they relate to the acceptance and use of Federal funds for this program.

Prior to FHWA approval of pricing project implementation, value pricing programs must be shown to be consistent with Federal metropolitan and statewide planning requirements.

Projects outside metropolitan areas must be included in the approved statewide transportation improvement program and be selected in accordance with the requirements set forth in section 1204(f)(3) of TEA–21.

Those in metropolitan areas must be: (a) Included in, or consistent with, the approved metropolitan transportation plan (if the area is in nonattainment for a transportation related pollutant, the metro plan must be in conformance with the State air quality implementation plan); (b) included in the approved metro and statewide transportation improvement programs (if the metro area is in nonattainment for a transportation related pollutant, the metro transportation improvement program must be in conformance with the State air quality implementation plan); (c) selected in accordance with the requirements in Pub.L. No. 105–178, section 1203(h)(5) or (i)(2); and (d) consistent with any existing congestion management system in transportation management areas, developed pursuant to 23 U.S.C. 134(i)(3).

(Authority: 23 U.S.C. 315; sec. 1216(a), Pub. L. 105–178, 112 Stat. 107; 49 CFR 1.48).

Issued on: September 24, 1998.

Kenneth R. Wykle,

Federal Highway Administration, Administrator.

[FR Doc. 98–26531 Filed 10–2–98; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF THE TREASURY

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In order to comply with the mandate of section 999(a)(3) of the Internal Revenue Code of 1986, the Department of the Treasury is publishing a current list of countries which may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

On the basis of the best information currently available to the Department of the Treasury, the following countries may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986)

Bahrain
Iraq
Kuwait
Lebanon
Libya
Oman
Qatar
Saudi Arabia
Syria
United Arab Emirates
Yemen, Republic of

Dated: September 28, 1998.

Philip West,

International Tax Counsel (Tax Policy).

[FR Doc. 98–26573 Filed 10–2–98; 8:45 am]

BILLING CODE 4810–25–M

DEPARTMENT OF THE TREASURY

[Treasury Directive Number 74–06]

Home-to-Work Transportation Controls

September 15, 1998.

1. *Purpose.* This Directive establishes policy and sets forth responsibilities and reporting requirements concerning official use of Government passenger carriers, including motor vehicles, between an employee's residence and place of employment. This transportation is referred to as ''home-to-work'' in this Directive; this term also includes work-to-home transportation.

2. *Scope.* This Directive applies to all bureaus, the Departmental Offices (DO), the Office of Inspector General and the Office of the Inspector General for Tax Administration (all referred to herein as bureaus), with respect to the provision of home-to-work transportation to Treasury employees in normal duty (non-travel) status. This Directive does not apply to the use of a Government passenger carrier in conformity with the Federal Travel Regulation (41 Code of Federal Regulations (CFR) part 301) in conjunction with official travel to perform temporary duty assignments outside the employee's commuting area and away from a designated or regular place of employment, nor does it apply where the Secretary has prescribed rules for incidental use, for other than official business, of vehicles owned or leased by the Government.

3. *Policy.* A Government passenger carrier (hereafter ''Passenger Carrier'') is a motor vehicle, aircraft, boat, ship, or other similar means of transportation that is owned or leased (including non-temporary duty rentals) by the Government, or has come into the possession of the Government by other means, including forfeiture or donation. Passenger carriers are to be used for official purposes only.

a. Use of a Passenger Carrier between an employee's residence and place of employment qualifies as transportation for an official purpose only in those situations permitted by 31 United States Code (U.S.C.) 1344. In the Department, this statute permits home-to-work transportation to be provided to the Secretary; and for other employees when the Secretary determines that:

(1) Home-to-work transportation for the Secretary's single principal deputy is appropriate;

(2) Transportation between residence and various locations is required for performance of field work, in accordance with applicable regulations;

(3) Transportation between residence and various locations is essential for safe and efficient performance of intelligence, counterintelligence, protective services or criminal law enforcement duties; or

(4) A clear and present danger, an emergency or other compelling operational considerations make home-to-work transportation essential to the conduct of official business.

b. Employees may use Passenger Carriers for home-to-work transportation only after a written determination permitting such use has been executed by the Secretary.

c. For home-to-work transportation provided under a determination made pursuant to paragraph 5.a, home-to-work transportation may be authorized only within a fifty mile commuting radius from the employee's place of employment. This restriction does not apply to situations contemplated in paragraphs 5.b, c, d, e or 6.

d. During home-to-work transportation provided under a determination made pursuant to paragraphs 5.a to 5.e, an employee may