

hour rules (such as natural gas or power company service vehicles).

If the FHWA extends the program beyond the initial 15 days, each State will submit a similar report within 5 days at the end of every 30-day reporting period thereafter. Within 30 days of the conclusion of the program (April 30, 1997), each State will compile and report the results of the program to the FHWA and include an overall evaluation of the program.

VII. Final Evaluation of the Program

The NHS Act requires the FHWA to conduct an evaluation at the conclusion of the program. The principal objective of the evaluation is to provide input to a zero-base review of the need for, and the cost and benefits of, the hours-of-service regulations as they apply to home heating oil delivery operations during the winter months. The NHS Act requires the FHWA to initiate a rulemaking, based in part upon the results of the program, to determine whether to authorize State-granted waivers of the hours-of-service regulations to motor carriers transporting home heating oil during the winter months or to amend the hours-of-service regulations to provide flexibility to motor carriers delivering home heating oil during winter periods of peak demand.

Authority: 49 U.S.C. 31136(e); National Highway System Designation Act, Pub. L. 104-59, § 346, 109 Stat. 568, 615 (1995); 49 CFR 1.48.

Issued on: January 17, 1997.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 97-2089 Filed 1-28-97; 8:45 am]

BILLING CODE 4910-22-P

Maritime Administration

[Docket MSP-006/Docket S-942]

American President Lines; Notice of Application for a Waiver Pursuant to Section 804 of the Merchant Marine Act, 1936, as Amended

American President Lines, Ltd. (APL), by application received November 7, 1996, applied under Section 651, Subtitle B, of the Act for participation in the Maritime Security Program (MSP). In support of its participation in the MSP, APL by letter dated January 17, 1997 has applied for a waiver pursuant to section 804 of the Merchant Marine Act of 1936, as amended (Act).

On January 21, 1997, APL and MARAD entered into MSP Operating Agreements for nine vessels: APL KOREA, APL PHILIPPINES, APL

SINGAPORE, APL THAILAND, PRESIDENT ADAMS, PRESIDENT JACKSON, PRESIDENT KENNEDY, PRESIDENT POLK and PRESIDENT TRUMAN. APL, in connection with the MSA, was awarded "grandfather" rights under section 804 for its six C-11 vessels: APL KOREA, APL PHILIPPINES, APL SINGAPORE, APL THAILAND, APL JAPAN, and APL CHINA.

APL states that in its capacity both (i) as a contractor under Subtitle A of Title VI of the Act under existing Contract No. MA/MSB 417 and (ii) as an awardee of Operating Agreements and prospective contractor under the new Maritime Security Program established by Subtitle B of Title VI of the Act, APL requests a waiver of the provisions of section 804 to allow APL (or any holding company, subsidiary, affiliate or associate of APL or any transferee of any MSP Operating Agreement from APL to own, operate and/or charter up to 18 foreign-flag vessels in line haul service between the United States and foreign ports in addition to the six such vessels that the Maritime Administration (MARAD) has determined that APL is entitled to own, operate and/or charter pursuant to section 804(f)(2)(A) of the Act. The requested waiver is for the full remaining term of APL's ODS contract and for the full term of APL's MSP Operating Agreements as well as any subsequent renewals of any such Operating Agreement.

APL asserts that grant of the requested waiver is required for several reasons.

1. On the date of enactment of the Maritime Security Act of 1996 (MSA), APL moved cargo on 37 foreign-flag vessels in line haul service between the United States and foreign ports. Only six of these vessels were owned and/or operated by APL, viz., the six C-11 class vessels which are the basis for MARAD's above-noted determination that APL has an entitlement to six vessels under section 804(f)(2)(A). For historical reasons—including APL's pre-existing status as an ODS contractor subject to section 804, under which (prior to the amendments made by the MSA) it was considerably more difficult for a contractor to own and/or operate, as opposed to charter space on, foreign-flag vessels—APL's interest in the other 31 foreign-flag line haul vessels on the date of the MSA's enactment was in the form of space sharing and sailing coordination agreements. Under such agreements, APL chartered and utilized large proportions of the slot capacity of the 31 ships.

APL's position is that it is entitled under section 804(f)(2)(A) to at least 37 foreign-flag line haul vessels, based on

the six C-11s plus the 31 vessels subject to space charter agreements. A list of the 37 foreign-flag vessels is provided as follows:

Vessel name	Flag
ALIGATOR BRAVERY	Panama
ALIGATOR COLUMBUS	Panama
ALIGATOR STRENGTH	Panama
ALIGATOR WISDOM	Panama
OOCL SHANGHAI	Panama
OOCL AMERICA	Liberia
OOCL CALIFORNIA	Liberia
OOCL CHINA	Liberia
OOCL HONG KONG	Liberia
OOCL JAPAN	Liberia
APL CHINA	Marshall Islands
APL JAPAN	Marshall Islands
APL KOREA	Marshall Islands
APL PHILIPPINES	Marshall Islands
APL SINGAPORE	Marshall Islands
APL THAILAND	Marshall Islands
ALIGATOR AMERICA	Japan
ALLIGATOR GLORY	Liberia
ALLIGATOR PRIDE	Liberia
ALLIGATOR VICTORY	Panama
OOCL FAME	Liberia
OOCL FRONTIER	Great Britain
AGLE ANAHUAC	Liberia
TMM ACAPULCO	Germany
TMM CHETUMAL	Greece
TMM MANZANILLO	Greece
TMM SINALOA	Greece
TMM VERACRUZ	Liberia
ALLIGATOR INDEPENDENCE	Panama
ALIGATOR LIBERTY	Japan
ALIGATOR RELIANCE	Japan
ALLIGATOR TRIUMPH	Liberia
NEDLLOYD DEJIMA	Netherlands
NEDLLOYD DELFT	Netherlands
OOCL FAIR	Liberia
OOCL FIDELITY	Liberia
OOCL FORTUNE	Liberia

However, MARAD determined that, with respect to the 31 vessels subject to space charter arrangements, APL would not be entitled to grandfather rights under section 804(f)(2)(A). APL states that, while it disagrees with this determination, APL is willing to pursue an alternative course—this waiver application—to obtain the authorization for foreign-flag line haul vessels that is essential to APL's success as an ODS and MSP contractor. The requested waiver for 18 vessels is equivalent to half of the 31 vessels subject to space sharing agreements, rounded up to 18 to allow three six-vessel strings in recognition of the operational need to operate line haul vessels in strings providing regular weekly port calls. That number reflects the approximate vessel equivalence of APL's share of the 31 foreign flag line haul vessels on which APL is a charterer.

In addition to the six ships grandfathered under section 804(f)(2) of rights recognized by MARAD based on

the C-11s, the requested 18-vessel waiver would give APL a right to own and/or operate a total of 24 foreign-flag line haul vessels calling on U.S. ports.

2. APL states that the central purpose of the MSA and the MSP is to preserve and advance a U.S.-flag commercial fleet, not only by providing necessary financial assistance for the operation of U.S.-flag vessels, but also by allowing the operators of such vessels the flexibility to structure their overall fleet and services to be responsive and competitive in the world marketplace. APL argues that Congress recognized that, in order to achieve this purpose, ODS and MSP contractors must be free to utilize foreign-flag vessels in close and efficient conjunction with their U.S.-flag services, as evidenced by the dramatic amendments made to section 804 by section 5 of the MSA. APL maintains that Congress also clearly intended that, in this respect among others, the principal operators in the U.S. foreign trades should be placed on a level playing field.

As noted above, for historical reasons that are unrelated to current economic and competitive realities, APL argues it has wound up, under MARAD's interpretation of section 804(f)(2)(A), with much less flexibility to efficiently structure its services than its major U.S. and foreign competitors. According to APL, grant of the requested waiver would rectify this situation, and carry out the intent of Congress in enacting the MSA.

3. APL maintains that, to the extent the section 804 concepts of "good cause" and "special circumstances" may have any continuing substance following the amendments made to that section by the MSA, they are clearly present here:

a. Grant of the request would be mutually beneficial to APL as an MSP contractor and the U.S. Merchant Marine.

b. The number of vessels for which a waiver is requested is fair, given that (i) it is far fewer than the 31 foreign-flag line haul vessels on which APL chartered substantial space on the date of enactment of the MSA, as discussed above, and (ii) it achieves parity with APL's major MSP competitors.

c. Given the expansive authority to operate foreign-flag line haul vessels that MARAD has recognized for Sea-Land and Maersk, there can be no claim that the requested waiver would injure either of those MSP contractors (or any other MSP contractor) in any way. Moreover, given the limitations imposed on the MSP funding that is essential to vessel operations under the U.S. flag, there is no possibility that U.S.-flag

operations could be performed in lieu of the foreign-flag authorities herein sought.

4. Finally, given the importance of the requested waiver to APL as a MSP contractor, and the compelling reasons for grant of a waiver explained above, APL requests that MARAD act promptly on this application.

The application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm or corporation having any interest in the application for waiver pursuant to section 804, and desiring to submit comments concerning APL's request must by 5:00 PM (5 working days after the date of publication) file comments in triplicate to the Secretary, Maritime Administration, Room 7210, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. This notice is published as a matter of discretion. The Maritime Administrator will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

Dated: January 23, 1997.

By Order of the Maritime Administrator.
Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 97-2084 Filed 1-28-97; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF THE TREASURY

Domestic Finance; Community Adjustment and Investment Program, Advisory Committee Open Meeting

The Department of the Treasury, pursuant to the North American Free Trade Agreement ("NAFTA") Implementation Act (Pub. L. No. 103-182), established an advisory committee (the "Advisory Committee") for the community adjustment and investment program (the "Program"). The Program will provide financing to businesses and individuals in communities adversely impacted by NAFTA to create new jobs. The charter of the Advisory Committee has been filed in accordance with the Federal Advisory Committee Act of October 6, 1972 (Pub. L. No. 92-463), with the approval of the Secretary of the Treasury.

The Advisory Committee consists of nine members of the public, appointed by the President, who collectively represent: (1) community groups whose constituencies include low-income families; (2) scientific, professional, business, nonprofit, or public interest organizations or associations, which are neither affiliated with, nor under the

direction of, a government; and (3) for-profit business interests.

The objectives of the Advisory Committee are to: (1) provide informed advice to the President regarding the implementation of the Program; and (2) review on a regular basis, the operation of the Program, and provide the President with the conclusions of its review. Pursuant to Executive Order No. 12916, dated May 13, 1994, the President established an interagency committee to implement the Program and to receive, on behalf of the President, advice of the Advisory Committee. The committee is chaired by the Secretary of the Treasury.

A meeting of the Advisory Committee, which will be open to the public, will be held in Albuquerque, New Mexico at the Doubletree Hotel, Ballroom Salon III, 201 Marquette Avenue, N.W., Albuquerque, New Mexico 87104, from 9 a.m. to 4 p.m. on Wednesday, February 12, 1997. The meeting room will accommodate approximately 50 persons and seating is available on a first-come, first-serve basis, unless space has been reserved in advance. Due to limited seating, prospective attendees are encouraged to contact the person listed below prior to February 5, 1997. If you would like to have the Advisory Committee consider a written statement, material must be submitted to the U.S. Community Adjustment and Investment Program, Advisory Committee, Department of the Treasury, 1500 Pennsylvania Avenue, NW, Room 3040, Washington, DC 20220 no later than February 5, 1997. If you have any questions, please call Dan Decena at (202)622-0637. (Please note that this telephone number is not toll-free.)

Mozelle W. Thompson,

*Principal Deputy Assistant Secretary,
Government Financial Policy.*

[FR Doc. 97-2187 Filed 1-28-97; 8:45 am]

BILLING CODE 4510-25-P

Internal Revenue Service

Proposed Collection; Comment Request for Form 8281

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the