

Explanation of Correction: The action designated in section 1, would correct the misspelling in the article description of a tariff category created to implement a concession under the NAFTA, effective as of the date of entry into force of that agreement. The new tariff provision created in section 2 would correct the inadvertent deletion by Pres. Proclamation 7011 of a pre-existing temporary duty suspension on particular semiconductor machinery. Proclamation 7011 implemented the Information Technology Agreement (ITA) for the United States. Annex B to that Proclamation failed to continue a pre-existing duty suspension provision, since the goods covered by the duty suspension now fall in another provision of chapter 84. The duty suspension provision of chapter 99 must be amended accordingly to reflect the tariff subheading now applicable to these goods. The continuation of the duty suspension (which is scheduled to continue through the close of 2000) allows the subject products to continue to enter the customs territory free of duty, rather than to enter at the rates of duty (being reduced in stages) provided under the ITA.

**Frederick L. Montgomery,**

*Executive Secretary.*

[FR Doc. 97-25824 Filed 9-29-97; 8:45 am]

BILLING CODE 3190-01-M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Foreign Air Carriers; Unfair and Deceptive Advertising; Enforcement Policy

**AGENCY:** Office of the Secretary (DOT).

**ACTION:** Notice.

**SUMMARY:** The Department's Office of Aviation Enforcement and Proceedings issues this notice to clarify its enforcement policy with regard to the advertising of service to or from the U.S. by foreign carriers. The notice advises foreign carriers that advertising service for which they lack the requisite economic authority from the Department violates the authority provisions of 49 U.S.C. § 41301 and is an unfair and deceptive practice under 49 U.S.C. § 41712 that may warrant enforcement action, even if the carrier has an application for such authority pending before the Department.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Lowry, Office of Aviation Enforcement and Proceedings, U.S. Department of Transportation, 400 7th

St. SW., Washington, DC 20590. Tel. No. (202) 366-9349.

#### United States of America, Department of Transportation, Office of the Secretary, Washington, D.C.

##### *Advertising of Scheduled Service in Foreign Air Transportation—Use of the Notation "Subject to Government Approval"*

#### Notice

During a recent investigation, it came to the attention of the Office of Aviation Enforcement and Proceedings (AEP) that some foreign air carriers may be holding out service from the U.S. to foreign points for which they lack U.S. economic authority under 49 U.S.C. § 41301. The issue arose in connection with listings by a foreign carrier on the internet and in the Official Airline Guide (OAG) which related to service that was the subject of its application for authority. The application was pending at the time the advertisements appeared. The carrier included with the listings in question a statement that the service was "subject to government approval," to indicate that the service was contingent on receiving Department approval and might not be provided. It also stated to AEP that it accepted no reservations for the service in the U.S. We asked the carrier to remove the listings in question and it agreed. Since similar practices may be widespread, we believe it appropriate to disseminate AEP's policy on matters of this kind to all foreign carriers operating or planning to operate from the U.S.

AEP has in the past applied and will continue to apply the same standards to the advertisement of proposed service by foreign carriers as it currently applies under Department regulations to U.S. applicants for certificate authority. Section 201.5 of the Department's rules (14 CFR 201.5) provides that U.S. applicants for certificate authority may not "advertise, list schedules or accept reservations" or "accept payment or issue tickets" for their proposed service until the relevant application has been approved by the Department.<sup>1</sup> Although section 201.5 is specifically limited to U.S. applicants for air carrier authority, we will continue our practice of following a consistent policy in

<sup>1</sup> Section 201.5 further prohibits issuance of tickets or acceptance of payment for a carrier's proposed service until its authority has become effective or the Department specifically authorizes sales. Under the rule, after Department approval but prior to receipt of effective authority, a carrier may advertise, take reservations and publish schedules (but not accept payment), provided such advertising or schedules prominently state the following: "This service is subject to receipt of government operating authority."

evaluating the advertisements and schedule listings of foreign air carriers. We will therefore consider it an unfair and deceptive practice and an unfair method of competition within the meaning of 49 U.S.C. § 41712, as well as a violation of the authority provisions of 49 U.S.C. § 41301, for a foreign air carrier to hold out service in the U.S. for which it does not have all requisite authorizations from the Department at the time of the holding out.

By the term "*holding out*," we refer to listing or advertising service in any medium reasonably likely to reach the U.S. public, such as computer reservations systems (CRSs), the internet, or published media, such as the Official Airline Guide. Clearly, if the appropriate authority is the subject of an application pending with the Department, the service may not be listed or advertised. A note stating that the listed service is "subject to government approval" where an application is pending within the Department is not sufficient to avoid a violation of 49 U.S.C. § 41712 and § 41301. Moreover, a violation is not avoided by refusing to take reservations or accept payment for tickets. On the other hand, a carrier may hold out service with a notation that service is "subject to government approval" if the carrier has the requisite U.S. authority but is awaiting *approvals from foreign governments only* for the service advertised.

Questions regarding this notice may be addressed to the Office of Aviation Enforcement and Proceedings, C-70, 400 7th St., S.W., Washington, D.C. 20590. A copy of this notice will be published in the **Federal Register**.

Dated: September 24, 1997.

By:

**Samuel Podberesky,**

*Assistant General Counsel for Aviation Enforcement and Proceedings.*

An electronic version of this document is available on the World Wide Web at <http://www.dot.gov>.

[FR Doc. 97-25903 Filed 9-29-97; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Request Renewal From the Office of Management and Budget (OMB) of Current Public Collections of Information

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the FAA invites public comment on six currently approved public information collections which will be submitted to OMB for renewal.

**DATES:** Comments must be received on or before December 1, 1997.

**ADDRESSES:** Comments on any of these collections may be mailed or delivered to the FAA at the following address: Ms. Judith Street, Room 612, Federal Aviation Administration, Corporate Information Division, ABC-100, 800 Independence Ave., SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Ms. Judith Street at the above address or on (202) 267-9895.

**SUPPLEMENTARY INFORMATION:** The FAA solicits comments on any of the current collections of information in order to evaluate the necessity of the collection, the accuracy of the agency's estimate of the burden, the quality, utility, and clarity of the information to be collected, and possible ways to minimize the burden of the collection. Following are short synopses of the six, currently approved public information collection activities, which will be submitted to OMB for review and renewal:

1. 2120-0021, Certification: Pilots and Flight Instructors. The FAA is empowered to issue airmen certificates to properly qualified persons. This clearance request covers the burden imposed on airmen directly responsible for the control of aircraft. 14 CFR part 61 prescribes requirements for pilot and flight instructor certificates. 14 CFR part 143 prescribes requirements for ground instructors. The current burden for this collection is estimated to be 8020 hours reporting and 248,675 hours in recordkeeping. Information collected is used to determine compliance and applicant eligibility. The number of respondents is estimated to be 709,540.

2. 2120-0022, Certification: Mechanics. Repairmen, Parachute Riggers—14 CFR part 65. The regulation prescribes requirements for mechanics, repairmen, parachute riggers, and inspection authorizations. Information collected shows applicant eligibility. Certification is required to perform these job functions. The current burden associated with this collection is 31,559 hours of reporting burden, and 26,250 hours of recordkeeping burden. The number of respondents is estimated to be 39,639.

3. 2120-0036, Notice of Landing Area Proposal. 14 CFR part 157 requires that each person who intends to construct, activate, deactivate, or change the status

of an airport, runway, or taxiway shall notify the FAA. FAA Form 7480-1, Notice of Landing Area Proposal, is used to collect the required information on an as needed basis. The current burden is estimated to be 2,989 hours with 3,986 respondents.

4. 2120-0075, Airport Security—part 107 of the Federal Aviation Regulations (14 CFR Ch. I, part 107). Airport security programs, training records and screening, bomb threats, and arrest reports are needed to ensure protection of persons and property in air transportation against acts of criminal violence, ensure passenger screening procedures are effective and that information is available to comply with Congressional reporting requirements. The current burden is estimated at 15,268 hours of reporting and 59,546 hours of recordkeeping on 465 respondents.

5. 2120-0085, Certification and Operations, 14 CFR part 125. The FAA is authorized to issue Air Carrier Operation Certificates. 14 CFR part 125 prescribes requirements for leased aircraft, Aviation Service Firms and Air Travel Clubs. Information collected shows compliance and applicant's eligibility. The current burden is estimated at 11,683 reporting hours annually and 17,762 recordkeeping hours annually by 57 respondents.

6. 2120-00573, Special Federal Aviation regulation—SFAR-64 was effective on June 3, 1993, and permitted certain operations of noise-restricted aircraft without a formal grant of exemption under 14 CFR part 11. Absent this SFAR, there is no regulatory basis for approval of limited special flight authorization for noncomplying aircraft under 14 CFR part 91, subpart I. Operators of these aircraft would need to petition for and receive a grant of exemption under 14 CFR part 11, which is costly and time consuming for both the petitioner and the FAA. The FAA believes that it is in the public interest to allow limited operations of certain airplanes that do not meet the noise standards of 14 CFR part 91, subpart I, for the purpose of delivering the airplane to a foreign purchaser or flying it to the site of a modifier in the United States who will bring it into compliance with 14 CFR 91.805. Under this SFAR, operators would be able to apply for a special flight authorization to allow limited nonrevenue operations at specific U.S. airports. The information will be used by the FAA to issue special flight authorizations for operations of Stage 1 or Stage 2 airplanes at U.S. airports. The current number of respondents is estimated at 25 for a total annual burden of 38 hours.

Issued in Washington, DC., on September 24, 1997.

**Steve Hopkins,**

*Manager, Corporate Information Division, ABC-100.*

[FR Doc. 97-25827 Filed 9-29-97; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Commercial Space Transportation Advisory Committee; Open Meeting

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

**ACTION:** Notice of Commercial Space Transportation Advisory Committee open meeting.

**SUMMARY:** Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, October 23, 1997, from 8:00 a.m. to 1:15 p.m. in Room 2230 of the Department of Transportation's Headquarters building at 400 Seventh Street, SW, in Washington, DC. This will be the twenty-sixth meeting of the COMSTAC.

The agenda for the meeting will include reports from the respective COMSTAC Working Groups; a legislative update on Congressional activities involving commercial space transportation; an activities report from FAA's Acting Associate Administrator for Commercial Space Transportation (formerly the Office of Commercial Space Transportation [60 FR 62762, December 7, 1995]); and other related topics. The meeting is open to the public; however, space is limited.

Meetings of the Technology and Innovation, Risk Management, and Launch Operations and Support Working Groups will be held on Wednesday, October 22, 1997. For specific information concerning the times and locations of these meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

**FOR FURTHER INFORMATION CONTACT:** Brenda Parker (AST-200), Office of the Associate Administrator for Commercial Space Transportation (AST), 400 7th Street SW, Room 5415, Washington, DC 20590, telephone (202) 366-2932.