

the Bureau that contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the Government. The Bureau reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program and the availability of funds. Awards made will be subject to periodic reporting and evaluation requirements. Final technical authority for assistance awards resides with the Office of Acquisition Management's Grants Officer.

#### Notification

Final awards cannot be made until funds have been appropriated by Congress, allocated and committed through internal Bureau procedures.

Dated: August 11, 2003.

**Lorne W. Craner,**

*Assistant Secretary for Democracy, Human Rights and Labor, Department of State.*

[FR Doc. 03-20937 Filed 8-14-03; 8:45 am]

BILLING CODE 4710-18-P

#### DEPARTMENT OF STATE

[Public Notice 4448]

#### Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as Amended

Pursuant to section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), and the functions and authorities delegated to the Secretary of State, or his or her delegate, by Presidential Determination 99-6 of November 30, 1998, and subsequently re-delegated to me by Delegation of Authority of January 5, 1999, I hereby designate refugees and conflict victims in Liberia as qualifying for assistance under Section 2(b)(2) of that Act, and determine that such assistance will contribute to the foreign policy interests of the United States.

This determination shall be transmitted to the President and published in the **Federal Register**.

Dated: August 8, 2003.

**Arthur E. Dewey,**

*Assistant Secretary of State, Bureau of Population, Refugees, and Migration.*

[FR Doc. 03-20938 Filed 8-14-03; 8:45 am]

BILLING CODE 4710-33-M

#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending August 1, 2003

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2003-15803.

*Date Filed:* July 29, 2003.

*Parties:* Members of the International Air Transport Association.

*Subject:* PTC COMP 1075 dated 29 July 2003 Composite Expedited Resolution 002f r1-r5 Intended effective date: October 1, 2003.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 03-20931 Filed 8-14-03; 8:45 am]

BILLING CODE 4910-62-P

#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending August 1, 2003

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under subpart B (formerly subpart Q) of the Department of Transportation's Procedural Regulations (*See* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, on Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-1995-545.

*Date Filed:* July 30, 2003.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* August 20, 2003.

*Description:* Application of Delta Air Lines, Inc., pursuant to 49 U.S.C. Sections 41102, 41108 and subpart B, requesting renewal of its certificate of public convenience and necessity to engage in scheduled foreign air transportation of persons, property, and mail between Atlanta, GA, and Caracas, Venezuela.

*Docket Number:* OST-2003-15821.

*Date Filed:* July 31, 2003.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* August 21, 2003.

*Description:* Application of TransAtlantic Airlines Limited, pursuant to 49 U.S.C. Section 41301, *et seq.*, and subpart B, requesting a foreign air carrier permit authorizing it to engage in scheduled and charter foreign air transportation of persons, property, and mail between Sierra Leone and the United States.

*Docket Number:* OST-1997-3177.

*Date Filed:* August 1, 2003.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* August 22, 2003.

*Description:* Application of Northwest Airlines, Inc., pursuant to 49 U.S.C. section 41101 and subpart B, requesting renewal of Segment 1 of its Route 378 certificate of public convenience and necessity, and to integrate this certificate authority with all of Northwest's existing certificate and exemption authority to the extent consistent with U.S. bilateral agreements and DOT policy.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 03-20930 Filed 8-14-03; 8:45 am]

BILLING CODE 4910-62-M

#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

[Docket No. OST-2003-15794]

#### Motor Carrier Financial Information Reporting Requirements—Request for Public Comments

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

**ACTION:** Request for Public Comments.

**SUMMARY:** DOT has received a petition from the Truckload Carriers Association (TCA), requesting that DOT grant a general exemption to all motor carriers of property that are required to file financial reports with DOT's Bureau of Transportation Statistics (BTS). The petition also requests that DOT docket the petition and request public comments. DOT is seeking public comments on the merits of the TCA petition.

**DATES:** Comments must be received by October 14, 2003.

**ADDRESSES:** You may submit comments (identified by DMS Docket Number OST-2003-15794) through the following methods:

- *Web Site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

• *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

• *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400

Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

• *Federal Rulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. You should know that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>

*Docket:* For access to the docket to read background documents or comments, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Thomas M. McNamara, Office of Transportation Policy Development, Department of Transportation, 400 Seventh Street, SW., Washington, DC, 20590-0001, (202) 366-4462; [thomas.mcnamara@ost.dot.gov](mailto:thomas.mcnamara@ost.dot.gov).

**SUPPLEMENTARY INFORMATION:** TCA is a national trade association with approximately 500 motor carrier members providing intercity truck transportation for a variety of commercial, industrial, and consumer products, primarily in full trailer-load quantities. (See TCA Petition, Page 2.) In its petition, which we have included in the docket, TCA requests that DOT use its general exemption authority (see 49 U.S.C. 13541) to exempt all motor carriers of property from the mandatory financial reporting requirements

contained in 49 U.S.C. 14123. (See also 49 CFR part 1420.) According to TCA, DOT should grant this regulatory relief because BTS "has made it abundantly clear that it will not exercise its own delegated authority to grant exemptions under subsection 14123(c) from either the filing or the public release of motor carrier reports." (See TCA Petition, Page 2.)

The Interstate Commerce Commission (ICC) collected financial data from regulated motor carriers from the 1930s until the end of 1995, when the ICC was abolished and data collection was transferred to DOT. (See 49 U.S.C. 11145 and implementing regulations at 49 CFR part 1420.) Between 1978 and 1994, the ICC reduced the reporting requirements by shortening report forms and easing record retention requirements. These changes followed the shift in the ICC's focus from close economic regulation of the motor carrier industry to broad industry oversight.

Upon transfer of the program and an additional program review, BTS further reduced the carriers' reporting burden (see 64 FR 13916, 13918; March 23, 1999). Currently, for common and contract motor carriers of property, the BTS regulations create three carrier classes based on revenue: Class I, with annual operating revenues of \$10 million or more, file the annual report (Form M) and quarterly reports (Form QFR); Class II, with annual operating revenues of between \$3 million and \$10 million, file only the annual report (Form M); and Class III, with annual operating revenues of less than \$3 million, are exempt from any filing requirements.

The reporting forms require the motor carriers to provide certain financial information (see 49 U.S.C. 14123(a)(1)): "at a minimum, such reports shall include balance sheets and income statements."

Unless a motor carrier requests an exemption from filing or from public release, the information is made publicly available. (See 49 U.S.C. 14123(c)(1) and (2) and the implementing regulations at 49 CFR 1420.8 and 1420.9.) BTS grants an exemption from filing to an individual carrier that shows that "an exemption is required to avoid competitive harm and preserve confidential business information that is not otherwise publicly available." (See 49 U.S.C. 14123(c)(1).) The carrier must submit a written request containing sufficient supporting documentation, before BTS will consider a proposed exemption.

BTS grants an exemption from public release upon a showing that the carrier is not a publicly-held corporation or not

subject to financial reporting requirements of the Securities and Exchange Commission, and that the exemption is necessary to avoid substantial competitive harm and to avoid the disclosure of information that qualifies as a trade secret or privileged or confidential information under 5 U.S.C. 552(b)(4) (the fourth exemption of the Freedom of Information Act). Again, the carrier must submit a written request containing supporting information.

The statutory standards for issuing an "exemption from filing" and an "exemption from public release" are very similar. However, the TCA states "BTS disregarded the Congressional intent by making exemptions from reporting or public release available only in theory, while denying them in fact." (TCA Petition, Page 5.) In addition, the TCA argues, "any benefits of the reporting scheme are far outweighed by its burdens" (TCA Petition, Page 4), and it urges the Department to exempt all motor carriers of property from the requirement to file these financial reports.

#### Request for Public Comments

We are issuing this invitation for comments on the TCA petition and views on whether DOT's motor carrier financial reporting requirements should be retained, amended, supplemented, replaced, or removed, including the selected forms and reports involved with the requirement. We are posing a series of questions in the hope that public comments will address several issues in particular:

(1) Do you use DOT's motor carrier financial information and, if so, how do you use it?

(2) Should the criteria used to evaluate whether a carrier has demonstrated that it will suffer competitive harm by release of its financial information be changed? (The criteria used by BTS are those in Exemption 4 of the Freedom of Information Act, 5 U.S.C. 552(b)(4): the information is commercial or financial and received from a source outside the Government, and its disclosure would likely lead to significant competitive harm to the supplier of the information or make it harder for the Government to obtain similar information in the future.)

(3) Should DOT change the reporting thresholds for Class I and II carriers of property and, if so, what level of annual operating revenues should be used? (Raising the reporting thresholds would reduce the number of carriers required to report, while lowering the thresholds would increase the number of carriers.)

(4) Should DOT continue to require Class I carriers of property to submit quarterly reports (Form QFR)?

(5) Should DOT eliminate or add specific line items in the annual report (Form M) and, if so, which specific line items should be eliminated/added?

(6) If your company is subject to the current Form M reporting requirements, what is the annual cost for your company to comply with those requirements? Please explain, in detail, how you calculated this total cost.

Issued in Washington, DC on August 12, 2003.

**Emil Frankel,**

*Assistant Secretary for Transportation Policy.*

[FR Doc. 03-20932 Filed 8-14-03; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2003-15268]

#### Qualification of Drivers; Exemption Applications; Vision

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of final disposition.

**SUMMARY:** The FMCSA announces its decision to exempt 35 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). The exemptions will enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the vision standard prescribed in 49 CFR 391.41(b)(10).

**DATES:** August 15, 2003.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket Number FMCSA-2003-15268 by any of the following methods:

- **Web site:** <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- **Hand Delivery:** Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading under Regulatory Notices.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366-2987, FMCSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., *e.t.*, Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

**Public Participation:** The DMS is available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help guidelines under the "help" section of the DMS Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, *etc.*). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

#### Background

On June 23, 2003, the FMCSA published a Notice of its receipt of applications from 36 individuals, and requested comments from the public (68 FR 37197). The 36 individuals petitioned the FMCSA for exemptions from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers

of CMVs in interstate commerce. They are: Gene E. Adams, Morris R. Beebe, William V. Beekler, Jerry W. Branning, Dennis R. Burda, James A. Busbin, Jr., Domenic J. Carassai, Theodore W. Cozat, Todd L. Dewey, John F. Dougherty, Fred W. Duran, Paul J. Edwards, Sr., William R. Evridge, Kenneth J. Fisk, Leslie W. Good, Michael E. Grens, Rodney P. Hains, Bruce E. Hemmer, Steven P. Holden, Russell R. Inlow, Christopher G. Jarvela, Henry Joiner, Darrell D. Kropf, Brad L. Mathna, William G. McClam, Vincent P. Miller, Warren J. Nyland, Dennis M. Prevas, Terry B. Pritchett, Greg L. Riles, Dwayne L. Sandlin, Jon D. Schwengel, Steven R. Smith, Calvin D. Tomlinson, Mona J. van Krieken, and Paul S. Yocum.

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption for a 2-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption." The statute also allows the agency to renew exemptions at the end of the 2-year period. Accordingly, the FMCSA has evaluated the 36 applications on their merits and made a determination to grant the exemptions to 35 of them. The comment period closed on July 23, 2003. One comment was received, and its contents were carefully considered by the FMCSA in reaching the final decision to grant the exemptions.

The FMCSA has not made a decision on the application of Dwayne L. Sandlin. Subsequent to the publication of the notice of applications and request for comments, the agency received additional documentation concerning his driving record and is evaluating the information. A decision on this application will be made in the future.

#### Vision and Driving Experience of the Applicants

The vision requirement in the FMCSRs provides:

A person is physically qualified to drive a commercial motor vehicle if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber (49 CFR 391.41(b)(10)).

Since 1992, the agency has undertaken studies to determine if this