

opportunity to present their views in writing. The Board of Directors shall then determine the appropriate disposition of the LCRP, and may, if it deems such action to be in the best interests of the Exchange, direct that the Allocation Committee reallocate the listed company's stock to a different specialist unit. The currently-assigned specialist unit and the member organization of any specialist member of the Board of Directors shall be precluded from applying to be allocated the stock. No reference to the LCRP or the Board's action shall be retained in the information maintained by the Allocation Committee with respect to the currently-assigned specialist unit, and the currently-assigned specialist unit shall not be afforded preferential treatment in subsequent allocations as a result of a reallocation pursuant to this rule.

[FR Doc. 95-10789 Filed 5-1-95; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF STATE

[Public Notice 2195]

### Advisory Committee on International Law; Meeting

A meeting of the Advisory Committee on International Law will take place on Thursday, May 18, 1995, from 2:00 to approximately 5:00 p.m., as necessary, in room 1207 of the United States Department of State, 2201 C Street, N.W., Washington, D.C. The meeting will be chaired by the Legal Adviser of the Department of State, Conrad K. Harper, and will be open to the public up to the capacity of the meeting room. The meeting will focus on the establishment of an international criminal court and possible United States Government involvement in genocide cases before the International Court of Justice, as well as review of other current developments in international law.

Entry to the building is controlled and will be facilitated by advance arrangements. Members of the public desiring access to the session should, prior to May 17, 1995, notify the Office of the Assistant Legal Adviser for United Nations Affairs (telephone (202) 647-6771) of their name, Social Security number, date of birth, professional affiliation, address and telephone number in order to arrange admittance. The above includes government and non-government attendees. All attendees must use the "C" entrance. One of the following valid IDs will be required for admittance: any U.S. driver's license with photo, a passport, or a U.S. Government agency ID.

Dated: April 20, 1995.

**Bruce C. Rashkow,**

*Assistant Legal Adviser for United Nations Affairs; Executive Director, Advisory Committee on International Law.*

[FR Doc. 95-10689 Filed 5-1-95; 8:45 am]

BILLING CODE 4710-08-M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Final Order Amending Certain Tentative Findings Contained in an Earlier Order to Show Cause Order 94-10-5, Dated October 6, 1994

We are publishing the order in its entirety as an appendix to this document.

**DATES:** Issued in Washington, D.C. April 26, 1995.

**EFFECTIVE DATE:** April 26, 1995.

#### FOR FURTHER INFORMATION CONTACT:

Dennis DeVany, U.S. Department of Transportation, Office of Aviation Analysis, X-53, Room 6407C, 400 7th Street, S.W., Washington, DC 20590 (202) 366-1061.

**Patrick V. Murphy,**

*Acting Assistant Secretary for Aviation and International Affairs.*

#### Appendix

[Order 95-4-38; Docket 49814]

Waivers for Regional/Commuter Carriers from Certain Service Termination Notice Requirements; Final Order Granting Waiver

By Order 94-10-5, October 6, 1994, the Department tentatively established criteria for granting waivers to regional/commuter carriers from the notice provision of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305). That law requires carriers to file a 45-day notice of their intention to suspend service at FAA-designated nonhub communities. However, it also instructed the Department to establish terms and conditions under which regional/commuter carriers were to be exempted from the notice requirement.<sup>1</sup>

Order 94-10-5 proposed that the notice requirement should be waived for regional/commuter carriers under either of two scenarios: first, if the affected community would continue to receive scheduled service with jet aircraft; or second, if the affected community would continue to receive scheduled service from at least two other regional/commuter carriers. Thus, in

<sup>1</sup>P.L. 103-305 defines "regional/commuter carriers" as (a) all Part 135 carriers, and (b) Part 121 carriers whose operations consist entirely of service with aircraft with 70 or fewer passenger seats. An FAA-designated "nonhub" is a community that accounts for less than 0.05 percent of all revenue enplanements in the nation—less than 234,157 enplanements during calendar year 1993, the most recent year for which data are available.

situations where reasonable levels of capacity would remain in the form of at least one jet operator or at least two regional/commuter carriers, no 45-day notice would have been required.

The Regional Airline Association (RAA) has responded to Order 94-10-5 on behalf of its members. According to the RAA, the legislative history of Public Law 103-305 clearly suggests that the notice requirement is aimed at jet service, particularly at the 27 nonhubs for which the Department has not established essential air service determinations.<sup>2</sup> The RAA contends that, if the Department's proposed waiver criteria were finalized, the effect would be the creation of notice obligations at many nonhubs that are served exclusively by regional/commuter carriers. The RAA concludes that our proposed criteria would thus shift the main burden of the requirement from major carriers providing jet service at a small number of nonhubs, as intended by Congress, to many regional/commuter carriers serving numerous small communities throughout the country.

We agree with the RAA that our proposed criteria were unnecessarily narrow. The legislative history of Public Law 103-305 indicates that the focus of Congress's concern was the abrupt loss of jet service at nonhubs for which we have not established essential air service determinations. Moreover, communities for which we have established determinations already enjoy the protections of the more stringent 90-day notice requirement and hold-in provisions contained in 49 U.S.C. 41734; application of the new 45-day notice in such cases would therefore be superfluous.

Under these circumstances, we conclude that regional/commuter carriers should be subject to the 45-day notice requirement of Public Law 101-305 only at communities for which the Department has not established an essential air service determination. We will therefore grant a waiver from the notice requirement to regional/commuter carriers serving nonhubs for which the Department has established a determination. In the latter cases, however, carriers should be mindful that they remain subject to the more stringent essential air service provisions contained in 49 U.S.C. 41734.

The appendix to this order contains the nonhubs to which the 45-day notice requirement continues to apply. We would stress, however, that this list is likely to change over time. Some communities may grow from nonhubs to small hubs while others shrink from small hubs to nonhubs, or we could ultimately establish determinations for some communities that currently have none.

*Accordingly,*

1. We grant a waiver from the 45-day notice requirement contained in the Federal Aviation Administration Authorization Act of 1994, Public Law 103-305, to all regional/commuter carriers insofar as it would apply to service at nonhub communities for which the Department has established essential air service determinations;

<sup>2</sup>The Appendix lists the 27 nonhubs at issue.