

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.

2. We grant the motion for leave to file an otherwise unauthorized document by the Regional Airline Association in Docket 49184; and

3. We will publish a copy of this order in the **Federal Register** and serve a copy on the Regional Airline Association.

Patrick V. Murphy,

*Acting Assistant Secretary for Aviation and International Affairs.*

#### **Nonhubs for Which a 45-Day Notice Is Required**

Ashland, Kentucky/Huntington, West Virginia  
Bismarck/Mandan, North Dakota  
Bristol/Kingsport/Johnson City, Tennessee  
Bozeman, Montana  
Butte, Montana  
Caspar, Wyoming  
Charleston/Dunbar, West Virginia  
Evansville, Indiana  
 Fargo, North Dakota  
Grand Forks, North Dakota  
Grand Junction, Colorado  
Great Falls, Montana  
Helena, Montana  
Idaho Falls, Idaho  
Kalispell, Montana  
Lincoln, Nebraska  
Minot, North Dakota  
Missoula, Montana  
Monroe, Louisiana  
Montgomery, Alabama  
Peoria, Illinois  
Rapid City, South Dakota  
Rochester, Minnesota  
Saginaw/Bay City/Midland, Michigan  
Scranton/Wilkes-Barre, Pennsylvania  
Sioux City, Iowa  
Sioux Falls, South Dakota

[FR Doc. 95-10760 Filed 5-1-95; 8:45 am]

BILLING CODE 4910-62-P

#### **Federal Aviation Administration**

#### **Airworthiness Standards; Fiscal Year 1998, Small Airplane Directorate's Research, Engineering and Development Initiatives, Program Identification**

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

**ACTION:** Request for small airplane directorate's research, engineering and development program proposals.

**SUMMARY:** This notice announces a request for proposals that will define the Federal Aviation Administration (FAA), Aircraft Certification Service, Small Airplane Directorate, Research, Engineering and Development (R,E&D) initiatives for Fiscal Year (FY) 1998 by defining and documenting specific, potential R,E&D program proposals. The request for proposals will focus on Aircraft Certification R,E&D programs related to the Small Airplane Directorate's activities. The Small Airplane Directorate is responsible for

airworthiness areas related to the normal, utility, acrobatic, and commuter category airplanes, gliders, balloons, and airships. Other FAA requirements such as flight standards, air traffic, or airway facilities will not be addressed. The FAA is soliciting the public sector to ensure that the proposed Small Airplane Directorate's R,E&D requirements will have relevant, practical applications and will be cost effective.

**DATES:** The request for proposals will be open until close of business May 31, 1995.

**ADDRESSES:** Submit comments in triplicate to: Ervin E. Dvorak, Standards Staff (ACE-110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Ervin E. Dvorak, Aerospace Engineer, Standards Staff (ACE-110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration; telephone number (816) 426-6941.

**SUPPLEMENTARY INFORMATION:** Each FY the FAA prepares an R,E&D program plan that include new (and amended) R,E&D proposals. The Aircraft Certification Service's Small Airplane Directorate is responsible for preparing its part of the overall FAA submittal.

The philosophy of the R,E&D process is to create an atmosphere that will promote the identification of requirements by any person or organization in the government or private sector. This makes the R,E&D process more responsive to public sector needs. Within the Aircraft Certification Service's Small Airplane Directorate, the R,E&D process places increased emphasis on outside participation in identifying new requirements and in sponsoring and monitoring the resulting R,E&D projects. Therefore, as part of the overall FAA and Aircraft Certification initiatives, the FAA's Small Airplane Directorate is undertaking a directly-related initiative specifically for airworthiness areas related to the normal, utility, acrobatic, and commuter category airplanes, gliders, balloons, and airships. Requirements should support issues critical to our regulatory and policy development. Also, the requirements could support certification issues for new and innovative designs and technology, and/or support correcting deficiencies in continued airworthiness. It has the same basic mission, goals, and procedures as the agency-wide initiative.

The Small Airplane Directorate will implement its segment of the FY-98 submittal by identifying, describing, evaluating, and cataloguing potential R,E&D requirements (i.e., proposals) for potential sponsorship and incorporation into the overall FAA FY-98 R,E&D submittal. This will result in a coordinated FY-98 requirements package that will be assigned to the appropriate FAA R,E&D provider organizations when approved and when funds are allocated by the budget process.

It should be stressed that the proposals that are evaluated as a result of this notice, if accepted, will not be funded until the overall FAA FY-98 R,E&D submittal is funded, (i.e., at least two years after their original submittal on October 15, 1995) and that reprogramming of limited R,E&D resources before than is highly unlikely. Also, the accepted proposals will have to complete for resources with other requirements identified for R,E&D by other FAA activities. Nonetheless, the need clearly exists to identify Small Airplane Directorate's Certification R,E&D needs to complete for the agency's R,E&D resources.

As a matter of information, there are four primary FAA R,E&D supplier organizations: (1) the FAA Technical Center (FAATC) in Atlantic City, New Jersey; (2) the Research and Development Service (ARD) in Washington, D.C.; (3) the Office of Environment and Energy (AEE) in Washington, D.C.; and (4) the Civil Aeromedical Institute (CAMI) in Oklahoma City, Oklahoma, of the Office of Aviation Medicine (AAM). These organizations perform the R,E&D on programs that are approved and funded through the process.

Although not mandatory, the format of Figure 1 for R,E&D proposals is preferred:

#### **Figure 1—FY-98 Small Airplane Director's R,E&D Program Description Form I.D. No. (FAA will fill in)**

##### *Originator*

(Insert Name, Address, Phone Number, and Fax Number)

##### *Proposed R,E&D Program Description & Objectives*

(Insert Brief Description of the proposal program and its major goals and objectives)

**Note:** A more detailed description may be attached in addition to this summary but is not mandatory at this time.