

Remodeling, ARFF Equipment, Land Acquisition—Phase I, Runway 16–34 Pavement Rehabilitation and Runway 34 Approach End Safety Area Culvert.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Redding.

Issued in Hawthorne, California, on October 23, 1996.

Louis N. Million,

Acting Manager, Airports Division, Western Pacific Region.

[FR Doc. 96–28413 Filed 11–4–96; 8:45 am]

BILLING CODE 4910–13–M

Maritime Administration

[Docket No. P–009]

Title XI Obligation Guarantees Citizenship Requirement

AGENCY: Maritime Administration; Department of Transportation.

ACTION: Conforming Agency Procedures to Statutory Change; request for comments.

SUMMARY: The Maritime Administration (MARAD) is soliciting Public comments to provide assistance in adopting a policy, which may ultimately be incorporated in amendments to its regulations, governing the administration of its obligation guarantees (“Title XI”) program with respect to citizenship requirements for program participants. This action is intended to harmonize the interpretation of citizenship requirements in MARAD’s Title XI regulations with amendments to Title XI, as effected by the enactment on October 8, 1996, of the Maritime Security Act of 1996.

DATE: Comments are requested by January 6, 1997.

ADDRESSES: To be considered, comments must be mailed, delivered in person or telefaxed (in which case an original must be received) to the Secretary, Maritime Administration, Room 7210, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. All comments will be made available for

inspection during normal business hours at the above address. Commentors wishing MARAD to acknowledge receipt of comments must enclose a stamped self-addressed envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Robert J. Patton, Jr., Deputy Chief Counsel, Maritime Administration, (202) 366–5712.

SUPPLEMENTARY INFORMATION: Title XI of the Merchant Marine Act, 1936, as amended (“Act”), 46 App. U.S.C. 1271 *et seq.*, establishes a program which provides for the issuance of U.S. Government guarantees of obligations (debt) issued to finance the construction of vessels. The term vessel is broadly defined to include many and diverse types, as specified. Units the enactment of the National Shipbuilding and Shipyard Conversion Act of 1993 (“Shipbuilding Act”), Subtitle D of Title XIII, Pub. L. 103–160, a corporation or other entities were not eligible for guarantees unless a majority or 75% of its stock was owned by U.S. citizens, within the meaning of section 2 of the Shipping Act 1916, as amended (46 App. U.S.C. 802). The Stock ownership requirement was dependent on the trade served; i.e. foreign or coastwise trade.

To promote U.S. shipbuilding, the Shipbuilding Act expanded the Title XI obligation guarantee program to allow participation by vessel owners, irrespective of citizenship, for financing of vessels built in a U.S. shipyard for export (“eligible export vessels”). At the same time, amendments to Title XI in the Shipbuilding Act removed references to U.S. citizenship requirements in some provisions of the statute while retaining them in other provisions. In issuing a final rule amending its regulations for administering the Title XI obligation guarantee program, MARAD addressed comments with respect to its retention of U.S. citizenship requirements for all vessels, except eligible export vessels (61 F.R. 21306; May 9, 1996). Citing the statutory requirement and its longstanding interpretation, MARAD rejected the view expressed by some commentates on its proposed rule (60 F.R. 20592; April 28, 1995) that there are no U.S. citizenship requirements under the Act, except where such requirements are made applicable to certain specified types of vessels, such as fishing vessels, pollution abatement vessels, etc.

Section 11 of the Maritime Security Act of 1996, PL. 104–239, 110 Stat. 3118, enacted on October 8, 1996, amended Title XI of the Act by striking the words “citizens of the United

States” in 46 App. U.S.C. 1271(b), 1274(a) and 1281(a). The effect was to remove the citizenship requirements for applicants to MARAD for Title XI obligation guarantees, except where specifically provided for by other laws.

MARAD recognizes the clear intent of the Congress expressed in Pub. L. 104–239 to eliminate, prospectively, the eligibility requirement of U.S. citizenship for vessel owners applying for obligation guarantees, except as otherwise provided by law.

Accordingly, where MARAD’s existing regulations are now in conflict with Title XI, as amended by PL. 104–239 with respect to citizenship requirements, they are no longer valid. Less certain is the retroactive effect, if any, of the new law. MARAD’s goal is to minimize the burden on applicants of establishing U.S. citizenship without compromising MARAD’s responsibility to protect the interests of the United States for the obligations which it guarantees. MARAD is also considering establishing a priority, in the event of a scarcity of funds, for loan guarantee applications by U.S. citizens over non-citizens for operation under U.S.-flag in the foreign commerce.

MARAD is soliciting comments on the following issues:

1. Does MARAD have the legal authority to give retroactive effect to the elimination of its general U.S. citizenship test for existing participants in its obligation guarantee program?
2. If MARAD has such authority, to what extent should it exercise that authority?
3. With respect to owners of vessels with obligation guarantees that operate in the United States domestic (“coastwise”) trade, for which U.S. citizenship requirements remain, can MARAD’s security interest in these vessels, for which it has issued guarantees, be sufficiently protected if it adopts the self-certification process as to establishing a vessel owner’s citizenship used by the United States Coast Guard for purposes of issuing a coastwise trade endorsement?
4. Should U.S. citizens be given priority for loan guarantees over non-U.S. citizens for operation of U.S.-flag vessels in foreign commerce in the event of scarcity of funds for approval of Title XI obligation guarantees.

By Order of the Maritime Administrator.

Dated: October 31, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96–28416 Filed 11–4–96; 8:45 am]

BILLING CODE 4910–81–P