

at the airport, has certified accordingly with the Department, and has a written request on file with the FAA Slot Administration Office.

If the available slot exemptions are not selected by a new entrant carrier meeting the above criteria, the slot exemptions will be available to all carriers for selection in accordance with the appropriate established rank order, i.e., the December 4, rank order for carriers providing small community service and the August 15 rank order for all carriers that have less than 20 slots and slot exemptions. The slot exemptions will be selected by alternating between the two rank orders with the next carrier in line for selection from the December 4 rank order to select the first two available slot exemptions. The FAA believes that alternating selections between the two established rank orders will provide equitable treatment and opportunity to both categories of operations to obtain any available capacity throughout this allocation period.

#### Lottery Procedures

Definitions for the terms "carriers," "new entrant," and "limited incumbent" for purposes of participation in the lottery, are proposed as set forth in 14 CFR 93.213, and amended by § 231 of AIR-21. The FAA has applied the "commuter affiliate" provision in 49 U.S.C. 41714(k).

The January 31, 2001, allocation of slot exemptions at LaGuardia Airport is extended through October 26, 2002. The following 19 slot exemptions are available for reallocation by lottery: 7:00 (2), 8:00 (1), 9:00 (1), 12:00 (1), 13:00 (1), 14:00 (1), 17:00 (1), 18:00 (1), 21:00 (10). There is one exemption slot available in each the 17:00 and 18:00 hour. After the selection of those times, the 17:00 and 18:00 hours will be blocked from an additional selection since those two time periods are oversubscribed. The above slot exemptions will be allocated by lottery using the following procedures:

1. New entrant carriers eligible to participate in this lottery are carriers that did not participate in the December 4 lottery or carriers that selected less than four exemption slots during the first round of the December 4 lottery and must have certified to the Department of Transportation in accordance with the procedures articulated in OST Order 2000-4-10 by August 9, 2001.

2. New entrant carriers intending to participate must notify the FAA Slot Administration Office in writing by August 9, 2001 of their intent to participate in the lottery.

3. New entrant carriers and carriers that hold less than 20 slots and slot exemptions at LaGuardia will participate in a random drawing from establishing a selection rank order. Carriers eligible to participate in rounds 1 and 3 described herein will select in that order. Each carriers must make its selection within 5 minutes after being called or it shall lose its turn.

4. In the first round, new entrant carriers may select no more than four exemption times. Carriers that hold less than four slot exemptions may select exemption times so as to not exceed holding a total of four. Each new entrant carrier may select one slot exemption time in each hour without regard to whether a slot is available in that hour. The first round will be concluded when all participating new entrant carriers have reached their maximum allocation or choose not to select remaining available times.

5. After the first round is completed, any remaining slot exemptions will be available to carriers providing service to small hub or non-hub airports in accordance with the established rank order from the December 4, 2000, lottery. Each carrier may select up to two slot exemptions and must make its selection within 5 minutes after being called or shall lose its turn. The second round will be concluded when all carriers have selected their maximum for that round.

6. After the second round is completed, any remaining slot exemptions will be available to carriers that have less than 20 slots and slot exemptions using the established rank order described in paragraph 3 above.

7. Slot exemptions selected in rounds 2 and 3 may only be operated in the available times.

8. The FAA may approve the transfer of slot exemption times between carriers only on a temporary one-for-one basis for the purpose of conducting the operation in a different time period. Carriers must certify to the FAA that no other consideration is involved in the transfer.

9. The Chief Counsel will be the final decisionmaker concerning eligibility of carriers to participate in the lottery.

10. The slot exemptions reallocated by lottery will remain in effect through October 26, 2002.

11. All operations allocated under these lottery procedures must commence by December 13, 2001. Carriers receiving slot exemptions under this lottery may commence operations earlier than September 15, 2001, if so desired.

12. Carriers that participate and select exemption slots during the lottery must

recertify to the Department of Transportation in accordance with the procedures articulated in OST Orders 2000-4-10 and 2000-4-11 prior to operations, and provide the Department and the FAA with the markets to be served, the number of exemption slots, the frequency, and the time of operation.

13. After the date of the lottery, if slot exemptions are turned-in to the FAA or are withdrawn for non-use, the FAA will make the slot exemptions available on a first-come, first-serve basis to a carrier that is not operating at LaGuardia as of August 15, 2001, certified to the Department in accordance with the procedures articulated in OST Order 2000-4-10, and has a written request on file with the FAA Slot Administration Office. Any carrier that meets the above criteria may select up to four available slot exemptions. Any slot exemptions not selected by the above described carriers will be available to all carriers for selection in accordance with the appropriate established rank order (the December 4 rank order for carriers providing small community service and the August 15 rank order for carriers with less than 20 slots and slot exemptions). Selections will alternate between the two rank orders, beginning with the next carrier in line from the December 4 rank order to select the first two available slot exemptions.

Issued on August 2, 2001 in Washington, DC.

**James W. Whitlow,**

*Deputy Chief Counsel*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aviation Rulemaking Advisory Committee; Transport Airplane and Engine Issues—New Task

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

**ACTION:** Notice of new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA assigned the Aviation Rulemaking Advisory Committee a new task to develop a report recommending the adoption of harmonized guidance material for paragraph 25.603 of the JAR and Section 25.603 of the FAR. This notice is to inform the public of this ARAC activity.

**FOR THER INFORMATION CONTACT:** Charles Huber, Federal Aviation Administration, Northwest Mountain

Region, 1601 Lind Avenue, SW., Renton, Washington 98055, (425) 227-2589, [charles.huber@faa.gov](mailto:charles.huber@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The FAA established the Aviation Rulemaking Advisory Committee to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities with respect to aviation-related issues. This includes obtaining advice and recommendations on the FAA's commitments to harmonize Title 14 of the Code of Federal Regulations (14 CFR) with its partners in Europe and Canada.

##### The Task

1. Review the proposed guidance of Advisory Circular, Joint 25.603 paragraph 9 and Advisory Material Joint 25.603 (adopted in Joint Aviation Requirements—25 Change 15, resulting from Notice of Proposed Amendment 25D-256).

2. Develop a report based on the review and recommend the adoption of harmonized guidance material for paragraph 25.603 of the JAR and § 25.603 of the FAR.

3. During the development of the guidance, if there is a need to make regulatory changes, provide the appropriate rulemaking text (as well as cost estimates—responding to economic questions).

4. If as a result of the recommendations, the FAA publishes an NPRM and/or notice of availability of proposed advisory circular for public comment, the FAA may ask ARAC to review all comments and provide the agency with a recommendation for the disposition of those comments.

*Schedule:* This task is to be completed no later than February 24, 2003.

##### ARAC Acceptance of Task

ARAC accepted the task and assigned the task to the General Structures Harmonization Working Group, Transport Airplane and Engine Issues. The working group serves as staff to ARAC and assists in the analysis of assigned tasks. ARAC must review and approve the working group's recommendations. If ARAC accepts the working group's recommendations, it will forward them to the FAA.

##### Working Group Activity

The General Structures Harmonization Working Group is expected to comply with the procedures adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the task, including the rationale supporting such a plan for consideration at the next meeting of the ARAC on transport airplane and engine issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations prior to proceeding with the work stated in item 3 below.

3. Draft the appropriate documents and required analyses and/or any other related materials or documents.

4. Provide a status report at each meeting of the ARAC held to consider transport airplane and engines issues.

##### Participation in the Working Group

The General Structures Harmonization Working Group is composed of technical experts having an interest in the assigned task. A working group member need not be a representative or a member of the full committee.

An individual who has expertise in the subject matter and wishes to become a member of the working group should write to the person listed under the caption **FOR FURTHER INFORMATION CONTACT** expressing that desire, describing his or her interest in the task, and stating the expertise he or she would bring to the working group. All requests to participate must be received no later than August 31, 2001. The requests will be reviewed by the assistant chair, the assistant executive director, and the working group co-chairs. Individuals will be advised whether or not their request can be accommodated.

Individuals chosen for membership on the working group will be expected to represent their aviation community segment and actively participate in the working group (e.g., attend all meetings, provide written comments when requested to do so, etc.). They also will be expected to devote the resources necessary to support the working group in meeting any assigned deadlines. Members are expected to keep their management chain and those they may represent advised of working group activities and decisions to ensure that the proposed technical solutions do not conflict with their sponsoring organization's position when the subject being negotiated is presented to ARAC for approval.

Once the working group has begun deliberations, members will not be added or substituted without the approval of the assistant chair, the assistant executive director, and the working group co-chairs.

The Secretary of Transportation determined that the formation and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of the ARAC will be open to the public. Meetings of the General Structures Harmonization Working Group will not be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. The FAA will make no public announcement of working group meetings.

Issued in Washington, DC, on July 30, 2001.

**Anthony F. Fazio,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Executive Committee of the Aviation Rulemaking Advisory Committee—Meeting Location Change

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

**ACTION:** Notice of change in meeting location for the Executive Committee of the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA is issuing this notice to advise the public of a change in the meeting location of the Executive Committee of the Federal Aviation Administration Aviation Rulemaking Advisory Committee.

**DATES:** The meeting will be held August 8, 2001, at 10 a.m.

**ADDRESSES:** The Holiday Inn—Capitol, 550 C Street, SW., Washington, DC 20024, Columbia Room.

**FOR FURTHER INFORMATION CONTACT:** Gerri Robinson, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9678; fax (202) 267-5075; e-mail [Gerri.Robinson@faa.gov](mailto:Gerri.Robinson@faa.gov).

**SUPPLEMENTARY INFORMATION:** The Executive Committee meeting location has been changed from the Federal Aviation Administration in Washington, DC, to the Holiday Inn—Capitol, 550 C Street, SW., Washington, DC 20024, Columbia Room. Please see the **Federal Register** notice published on July 2, 2001, (66 FR 34982) for additional information regarding the meeting.