

*D. Categories of Records and Individuals Covered by the Matching Program*

SSA will provide BPD with a finder file containing SSNs extracted from the Medicare database. BPD will match the SSNs in the finder file with the SSNs in its Savings Securities registration systems. This file will be formatted as stated in the attached Appendix. These records are included under the systems of records Treasury/BPD.002, United States Savings-Type Securities, and Treasury/BPD.008, Retail Treasury Securities Access Application, last published on July 23, 2008 at 73 FR 42906 and 42918, respectively. SSA will then match the BPD data with the new Medicare Part D and Part D Subsidy File system of records, SSA/ORSIS 60-0321, published at 69 FR 248 (December 28, 2004). As required by the Privacy Act, the Medicare Part D and Part D Subsidy File system of records was published in the **Federal Register** (Vol. 69, No. 248, pp. 77816-77822 [04-28302]) on Tuesday, December 28, 2004.

The number of records matched each year is determined in part by the number of people who file for subsidy for Part D. (In July 2007, there were 1,921,207 records matched.) BPD will perform the automated matching with its computer systems and provide the response file to SSA as soon as possible. This agreement covers the following matches:

(1) Screening for Potential Recipients

An ongoing monthly match of less than 200,000 potential applicants and those recipients who notify SSA of a change.

(2) Screening To Confirm Eligibility

Ongoing yearly matches of approximately two million recipients each year for confirming eligibility of individuals receiving Medicare Part D subsidy. SSA will substitute the yearly match file for the ongoing monthly match files and will not be a separate submission.

*E. Inclusive Dates of the Matching Program*

The matching program will become effective no sooner than 40 days after notice of the matching program is sent to Congress and OMB, or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met.

[FR Doc. E8-21817 Filed 9-17-08; 8:45 am]

BILLING CODE 4191-02-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 September 5, 2008**

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, or 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:* DOT-OST-2008-0274.

*Date Filed:* September 5, 2008.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* September 26, 2008.

*Description:* Joint Application of TradeWinds Airlines, Inc. ("TW") and Sky Lease I, Inc. ("Sky Lease") requesting the Department transfer TW's certificates of public convenience and necessity (and certain other exemption authority) to Sky Lease.

*Docket Number:* DOT-OST-2008-0277.

*Date Filed:* September 4, 2008.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* September 25, 2008.

*Description:* Application of TUIfly Nordic A.B. ("TUIfly") requesting an exemption and an amended foreign air carrier permit authorizing TUIfly to conduct operations to and from the United States to the full extent authorized by the United States-European Union Air Transport Agreement ("U.S.-E.U. Agreement"), including authority to engage in: (i) Charter foreign air transportation of persons, property and mail from any point(s) behind any Member State(s) of the European Community via any point(s) in any Member State(s) and intermediate points to any point(s) in the United States and beyond; (ii) charter foreign air transportation of persons, property and mail between any point(s) in the United States and any points(s) in any member of the European Common Aviation Area; (iii)

charter foreign cargo air transportation between any point(s) in the United States and any other point(s); (iv) other charter pursuant to the prior approval requirements; and (v) transportation authorized by any additional route or other right(s) made available to European Community carrier in the future.

**Renee V. Wright,**

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

[FR Doc. E8-21815 Filed 9-17-08; 8:45 am]

BILLING CODE 4910-9X-P

**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**Aviation Proceedings, Agreements Filed the Week Ending September 5, 2008**

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1383 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2008-0276.

*Date Filed:* September 4, 2008.

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

*Subject:* PTC COMP Mail Vote 575 Amending Composite Resolutions (Memo 1477). Intended effective date: 1 April 2009.

**Renee V. Wright,**

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

[FR Doc. E8-21818 Filed 9-17-08; 8:45 am]

BILLING CODE 4910-9X-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

[Docket No. FHWA-2008-0128]

**Credit Assistance for Surface Transportation Projects; Expedited Process for Execution of TIFIA Loans**

**AGENCIES:** Federal Highway Administration (FHWA), (DOT).  
**ACTION:** Announcement of template term sheet and template loan agreement for an expedited TIFIA loan process; notice and request for comments.

**SUMMARY:** In order to more efficiently facilitate innovative financing transactions, the DOT intends to develop an expedited process for

execution of TIFIA loans for certain eligible highway projects developed pursuant to concession agreements with senior bank and/or bond debt facilities. To the extent applicants choose to take advantage of the expedited process, utilizing standardized documents and terms, as well as meet standard closing conditions, the DOT will commit to execute a final loan agreement within 45 days of the applicant's agreement to all of the terms and conditions contained in a template term sheet and a template loan agreement, drafts of which are published for comment on the docket for this notice and at the TIFIA Web site listed below. In addition, the DOT seeks comment regarding which term sheet and loan terms would need to be amended to provide an expedited process and which terms need to be amended for eligible transit projects developed pursuant to concession agreements.

**DATES:** Comments must be received on or before October 20, 2008.

**ADDRESSES:** The template term sheet and template loan agreement for the expedited TIFIA loan process which are the subject of this notice can be viewed electronically at the docket established for this rulemaking at <http://www.regulations.gov> or on the TIFIA Web site at <http://tifa.fhwa.dot.gov>. Hard copies of the documents will also be available for viewing at the DOT address listed below.

Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or submit comments electronically at <http://www.regulations.gov>, or fax comments to (202) 493-2251. Alternatively, comments may be submitted via the Federal eRulemaking Portal at <http://www.regulations.gov> (follow the on-line instructions for submitting comments). All comments should include the docket number that appears in the heading of this document. All comments received will be available for examination and copying at the above address from 9 a.m. to 5 p.m., *e.t.*, Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard or you may print the acknowledgment page that appears after submitting comments electronically. All comments received into any docket may be searched in electronic format by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). Persons making comments

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 view the statement at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Sullivan, TIFIA Joint Program Office (202) 366-5785, Mr. Marcus J. Lemon, Chief Counsel (202) 366-0740, or Mr. Steven Rochlis, Office of the Chief Counsel (202) 366-1395, Federal Highway Administration; 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours for the FHWA are from 7:45 a.m. to 4:15 p.m., *e.t.*, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access and Filing**

You may submit or retrieve comments online through the Federal eRulemaking portal at: [www.regulations.gov](http://www.regulations.gov). The Web site is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site.

An electronic copy of this document may also be downloaded from Office of the Federal Register's home page at: [http://www.archives.gov/federal\\_register](http://www.archives.gov/federal_register) and the Government Printing Office's Web page at: <http://www.gpoaccess.gov>.

**Background**

TIFIA was enacted in 1998 as part of the Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, June 1998). TIFIA established a Federal credit program which provides Federal credit assistance to major surface transportation projects of regional or national significance. In 1999, the DOT promulgated a rule implementing TIFIA (64 FR 29742, June 2, 1999), and amended the rule in 2000 (65 FR 44936, July 19, 2000). Subsequently, in 2005, Congress enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, Aug. 10, 2005), which made a number of amendments to TIFIA.

In enacting the original TIFIA legislation, Congress found that "a well-developed system of transportation infrastructure is critical" to the nation's economy, and it sought to "attract new investment capital" to transportation infrastructure projects. Congress further found that TIFIA could complement existing funding resources by filling "market gaps," thereby leveraging substantial private co-investment.

To date, the DOT has provided almost \$4.8 billion in TIFIA credit assistance to 15 projects representing almost \$18.6

billion of infrastructure investment. Four TIFIA loans, including the three most recent TIFIA loans, have been executed with private companies for eligible highway projects developed pursuant to concession agreements with a public entity. In addition, TIFIA has recently experienced a sharp growth in demand for credit assistance, in large part because it has received several applications for highway projects developed pursuant to concession agreements as a result of State implementation of public-private partnership initiatives. The pipeline of expected TIFIA applications, which demonstrates that this demand is not likely to subside in the foreseeable future, is also dominated by these types of projects. In response to recurring concerns over the length of time associated with executing and closing loans for these types of projects, the DOT intends to offer certain borrowers the option of an expedited loan process or "fast track," which would require such borrowers to accept certain standard loan terms set forth in template loan documents.

**Expedited Loan Process and Template Loan Documents**

The statutory and regulatory requirements applicable to the TIFIA program will not be modified, amended, or supplemented for purposes of the expedited loan process. If an applicant wishes to take advantage of the expedited loan process, the applicant would be required to agree to the standard terms and conditions contained in a template term sheet (subject to negotiation of certain project specific terms, which must be separately negotiated for each transaction). The DOT would then commit to execute a loan agreement substantially similar to the template loan agreement, which is maintained on the TIFIA Web site, within 45 days of the applicant's signature accepting the term sheet. The expedited loan process will be subject to the DOT Credit Council and Secretary approving the loan. An applicant's decision to seek an expedited process will not affect the Department's decision to approve or disapprove credit assistance. Applicants are strongly encouraged to make use of this innovative process.

For purposes of the expedited process, the DOT has developed a template term sheet for applicants requesting secured loans for eligible highway projects being developed pursuant to a concession agreement with senior bank and/or bond debt facilities. The template term sheet contains the key business terms to

which the DOT would require the borrower to agree and certain project specific terms that must be separately negotiated for each transaction. The DOT expects that these terms may be modified periodically to reflect changes in TIFIA policies and practices. The DOT seeks public comment regarding the terms contained in the template term sheet. The template term sheet can be viewed at the docket established for this notice or at the TIFIA Web site at <http://tifia.fhwa.dot.gov>.

The DOT has also developed a template loan agreement. In order to receive the DOT's commitment to an expedited process, an applicant must agree that the standard template loan agreement is acceptable in form and substance, subject only to modifications required to conform the agreement to the terms and conditions of the agreed upon term sheet. The DOT expects that these terms may be modified periodically to reflect changes in TIFIA policies and practices. The DOT seeks public comment regarding the terms contained in the template loan agreement. The template loan agreement can be viewed at the docket established for this notice or at the TIFIA Web site at <http://tifia.fhwa.dot.gov>.

The DOT is aware that some of the terms in the template term sheet and template loan agreement may be unsuitable for transactions involving eligible transit projects. The DOT seeks public comment regarding which terms would need to be amended for transactions involving eligible transit projects developed pursuant to a concession agreement with senior bank and/or bond debt facilities.

Should an applicant seek terms that deviate from those in the template term sheet or the template loan agreement, the DOT may still commit to an expedited process, but only after the revised terms have been agreed to by the DOT. Items that require the TIFIA JPO's due diligence review (e.g., traffic and revenue studies, senior loan documents, inter-creditor agreements, rating letters, etc.) do not need to be in final form for DOT to commit to the expedited process; however, DOT's commitment will be subject to receipt and due diligence analysis of final versions similar in every material respect to the draft versions reviewed by the JPO prior to the commitment.

Projects that require material deviations from the terms in the template term sheet or the template loan agreement, as determined by the DOT in its sole discretion, would not be eligible for the expedited process. In these circumstances, the DOT will maintain the same approach to loan negotiations

that has always characterized the TIFIA program.

**Authority:** 23 U.S.C 315 and 23 U.S.C. 601-609; 49 CFR 1.48(b)(6), 49 CFR Part 80.

Issued on: September 12, 2008.

**Thomas J. Madison, Jr.,**  
Federal Highway Administrator.

[FR Doc. E8-21783 Filed 9-17-08; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in Delaware

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to: a proposed highway project, the U.S. 301: MD/DE Line to SR1, South of the C&D Canal, New Castle County, Delaware, including the new 13 mile long U.S. 301 mainline on new alignment between the Delaware/Maryland state line and State Route (SR) 1, and the new 3.5 mile long Spur Road, on new alignment from proposed U.S. 301 in the vicinity of Armstrong Corner Road to the Summit Bridge, south of the Chesapeake and Delaware (C&D) Canal, State of Delaware. Those actions grant approvals for both parts of the proposed project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before *March 17, 2009*. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such a claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Daniel Montag, Project Manager, Federal Highway Administration, 300 South New Street, Suite 2101, Dover DE 19904; weekdays 8 a.m. to 4 p.m.; telephone 302-734-1719; e-mail: [Daniel.Montag@fhwa.dot.gov](mailto:Daniel.Montag@fhwa.dot.gov). Mark Tudor, Project Director, Delaware Department of Transportation, 800 Bay Road, Dover DE 19903; weekdays 8 a.m. to 4 p.m.; telephone 302-760-2275; e-mail: [Mark.Tudor@state.de.us](mailto:Mark.Tudor@state.de.us).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits and approvals for the proposed construction of new U.S. 301 in the State of Delaware that is described below. The actions by the Federal agencies on the project, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project approved on November 30, 2007 and issued on December 14, 2007 (FR Vol. 72, No. 240, p. 71138) and in the FHWA Record of Decision (ROD) issued on April 30, 2008, and in other project records. The FEIS, ROD, and other records for the project are available by contacting the FHWA or the Delaware Department of Transportation at the addresses provided above. In addition, the FEIS and ROD can be viewed and downloaded electronically from the project Web site, <http://www.del.dot.gov/information/projects/us301/>, or viewed at public libraries and other public venues in the relevant project area.

This notice applies to all Federal agency decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken. The laws under which Federal agency decisions were made on the project include, but are not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. *Wetlands and Water Resources:* Clean Water Act [33 U.S.C. 1251-1377] (Section 404, Section 401, Section 319); TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Coastal Zone Management Act [16 U.S.C. 1451-1465].
3. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)] and applicable regulations promulgated under 40 CFR 93.
4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536]; Bald Eagle Protection Act [16 U.S.C. 668-668d]; Migratory Bird Treaty Act [16 U.S.C. 703-712].
5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archaeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-(ii)]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].
6. *Land:* Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209]; Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].