

Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6469). The mailing address is U.S. Department of State, SA-5, L/DP, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: February 6, 2012.

**J. Adam Erel,**

*Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

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## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT-OST-2008-0259]

### Agency Requests for Renewal of a Previously Approved Information Collection(s): Exemption From Passenger Tariff-Filing Requirements in Certain Instances and Mandatory Electronic Filing of Residual Passenger Tariffs

**AGENCY:** Office of the Secretary of Transportation (OST), Pricing & Multilateral Affairs Division, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Transportation (DOT), OST, Pricing & Multilateral Affairs Division invites public comments about our intention to request the Office of Management and Budget's (OMB) approval to renew an existing information collection. The collection involves tariff filings containing changes to passenger fares and related rules in a limited number of international markets that have not been exempted from such filing. We anticipate a modest reduction of burden in the future to the DOT and the carriers that file tariffs with DOT. The pre-existing information collection request previously approved by OMB expires on March 31, 2012. We are required to publish this notice in the **Federal Register** by Paperwork Reduction Act of 1955, Public Law 104-13.

**DATES:** Written comments should be submitted by April 10, 2012.

**ADDRESSES:** You may submit comments identified by Docket No. DOT-OST-2008-0259 through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** John Kiser, 202-366-2435 or Bernice C. Gray, 202-366-2418, Office of the Secretary, Pricing and Multilateral Affairs Division, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W86-320 and W86-433, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 2106-0009.

*Title:* 14 CFR part 221—Exemption from Passenger Tariff-filing Requirements in Certain Instances and Mandatory Electronic Filing of Residual Passenger Tariffs.

*Type of Review:* Renewal of a Previously Approved Information Collection.

*Background:* Section 41504 of Title 49 or the United States Code, requires every U.S. and foreign air carrier to file with the Department and keep open for public inspection, tariffs showing all prices for “foreign air transportation” between points served by the carrier, as well as all the rules relating to that transportation to the extent required by the Department. This requirement includes passenger fares, related charges and governing rules. The detailed tariff-filing rules and authority for approvals, rejections, and waivers are established by 14 CFR part 221. Once tariffs are allowed to become effective by the Department, these tariffs become legally binding terms in the contract of carriage for international air transportation.

In several rulemaking proceedings, the Department determined that the amount of tariff material filed by carriers exceeded our regulatory requirements in certain respects; that alternative methods existed for protecting consumers and other elements of the public interest that are more effective than filed tariffs; and that procedures should be developed to foster the electronic filing and the review of those tariffs, which should continue to be filed. On November 30, 1995, the Department published a final rule (Exemption from Property Tariff-Filing Requirement for 14 CFR parts 221 and 292, Docket No. 49827) exempting carriers from their regulatory duty to file tariffs for foreign air transportation of cargo.

In the final rule (Notice of Exemption from Exemption from Passenger Tariff-Filing Requirements In Certain

Instances, Docket OST-97-2050-12), issued July 21, 1999, the Department determined that the filing of certain tariffs with the Department for foreign air transportation passengers is no longer necessary or appropriate, and accordingly granted another exemption from the tariff-filing requirement set forth in Part 221. The rule also required that all remaining tariffs be filed electronically. A substantial number of provisions in Part 221 were removed, where redundant or out-dated, given present regulatory practices.

On October 7, 1999, the Assistant Secretary issued a notice under 14 CFR part 293, Notice of Exemption from the Department's Tariff-Filing Requirement, Docket OST-97-2050-14, specifying the terms of the exemptions for markets in Category A (no fare filing (s)), Category B exemptions for markets in Category A (no fare filing (s)), Category B (normal one-way economy fare filing (s) only) or Category C (filing all fares), taking into account specific factors present in each market. The notice also specified which general rules must continue to be filed.

On September 12, 2005, the Assistant Secretary issued a Notice of Exemption from the Department's Tariff-Filing Requirements, Docket OST-97-2050-15, updating the list of countries added to the tariff-filing exemptions under 14 CFR for country-pair markets transferring more countries between categories, and increasing the number of exempted countries between categories, and increasing the number of exempted countries from the tariff-filing requirements.

On April 8, 2008, the Assistant Secretary issued a third notice (Notice of Exemption from the Department's Tariff-Filing Requirements, Docket OST-97-2050-18), updating the list of countries added to the tariff-filing exemptions under 14 CFR part 293 for country-pair markets, transferring more countries between categories and increasing the number of exempted countries from the tariff-filing requirements. Most of the changes in the 2005 and 2008 notices moved countries into Category A (no fare filing (s), reflection the increasing number of “open skies” air services agreements between the United States and its trading partners). The effect on the burden hours cannot be determined at this time for the newest updated list of tariff-filing exemptions. Because of exemptions that have been granted to U.S. and foreign carriers from the statutory and regulatory duty to file international passenger tariffs for many markets, the burden of such filings has been substantially reduced. When the final rule was issued in July 1999, we

estimated that total annual burden on respondents at 650,000 hours. In 2007, the Department received 45,840 electronic filings, with an estimated annual burden of 229,200 burden hours. This reflected the fact that fewer markets were subject to filing requirements, but the reduction was tempered somewhat by a higher frequency of filings in markets still subject to filing. Considering these offsetting factors, we anticipate a modest further reduction of burden in the future.

**Respondents:** The vast majority of the air carriers filing international tariffs are large operators with revenues in excess of several million dollars each year. Small air carriers operating aircraft with 60 seats or less and 18,000 pounds payload or less that offer on-demand air-taxi service are not required to file such tariffs.

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**Frequency:** The information will be collected annually.

**Number of Respondents:** 148.

**Number of Responses:** 46,000.

**Total Annual Burden:** 230,000 hours.

**Public Comments Invited:** You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

**Authority:** The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC, on February 2, 2012.

**John Kiser,**

*Chief, Pricing & Multilateral Affairs Division,  
Office of Secretary of Transportation.*

[FR Doc. 2012-2818 Filed 2-9-12; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Release of Aeronautical Property at New Castle Airport (ILG), New Castle, DE

**AGENCY:** Federal Aviation Administration, Department of Transportation.

**ACTION:** Request for public comment.

**SUMMARY:** The Federal Aviation Administration (FAA) is requesting public comment on the Delaware River and Bay Authority's (DRBA) request to grant the Delaware Department of Transportation a permanent easement on 2.424 +/- acres of airport property along portions of Old Churchman's Road bordering a portion of the Airport property perimeter for roadway improvements. The 2.424 +/- acres land covered by the proposed easement will no longer be dedicated for aviation use by the New Castle Airport.

The DRBA, as operator of the New Castle Airport (ILG), has proposed the extension of Taxiway "H" and the development of an approximate thirty-eight (38) acre parcel of airport property on the southeasterly side of Old Churchman's Road for aviation related purposes. The Thirty-Eight Acre Parcel is currently undeveloped and separated from the main airport property by Old Churchman's Road. In order to gain connectivity and access to the Thirty-Eight Acre Parcel and allow for the extension of Taxiway "H" and future development, 0.610 +/- acres of Old Churchman's Road must be vacated by the Delaware Department of Transportation and returned to New Castle County as fee owner for aeronautical use. Once the 0.610 +/- acres of Old Churchman's Road is vacated, future road improvements to include, but not limited to, the upgrade of Old Churchman's Road from Route 13 to the easterly boundary of the Thirty-Eight Acre Parcel, the construction of a public road connecting Old Churchman's Road and New Churchman's Road at the eastern boundary of the Thirty-Eight Acre Parcel, and the construction of certain improvements along New Churchman's Road can be made on the proposed 2.424 +/- acre easement area. This will allow Delaware Department of Transportation to bring portions of Old Churchman's Road up to standards and accommodate a new connector from Old Churchman's Road to New Churchman's Road.

The 2.424 +/- acre parcel is located at New Castle Airport (ILG), New Castle,

DE, situated northwesterly of Dupont Highway, U.S. Route 13 and northeasterly of New Churchman's Road, Delaware State Road 58, New Castle Hundred, New Castle County, Delaware. The parcel is comprised of several small, narrow, Right-of-Way easement "strips" totaling 2.424 +/- acres in aggregate and is generally located along Old Churchman's Road commencing at Route 13 and running in a westerly direction to the easterly property line of the Thirty-Eight Acre Parcel. The property is currently depicted on the Airport Layout Plan (ALP) of record as airport property and consists of five sections of narrow strips of land varying 1.272 acres to 0.054 acres. The strips of land are parts of Tax Parcel No. 10-018.00-006. These areas, totaling 2.424 +/- acres are not required for aeronautical use and can be used for road improvements.

**DATES:** Comments must be received on or before March 12, 2012.

**ADDRESSES:** Documents are available for review, by appointment, at the Airport Manager's office: Stephen Williams, Airport Executive Director, Delaware River and Bay Authority, New Castle Airport, 151 Dupont Highway, New Castle, DE 19720-5124, 302-325-5124; and at the FAA Harrisburg Airports District Office: James M. Fels, Program Manager, Harrisburg Airports District Office, 3905 Hartzdale Dr., Suite 508, Camp Hill, PA 17011, (717) 730-2830.

**FOR FURTHER INFORMATION CONTACT:** James M. Fels, Program Manager, Harrisburg Airports District Office (location listed above).

**SUPPLEMENTARY INFORMATION:** The Levy Court of New Castle County acquired the property that constitutes the Airport through a conveyance from the United States of America, acting through and by the War Assets Administration on October 27, 1947. This conveyance transferred to New Castle County land to be used for aviation related purposes. Over the years, portions of the original land have been released by New Castle County and Federal Aviation Administration actions. In 1995, under agreement with New Castle County, the Delaware River and Bay Authority assumed sponsorship and operational control of the airport. There are no known adverse impacts to the operation of the airport and the 2.424 +/- acre area of land is not needed for any foreseeable future aeronautical development as shown on the approved New Castle ALP. Ownership will be retained by New Castle County.

Section 22.16 of FAA Order 5190.6B, FAA Airport Compliance Manual, requires fair market value be received