persons are invited to comment on the proposed AC by submitting such written data, views, or arguments as they may desire. Commenters should identify AC 25.803–1A and submit comments, in duplicate, to the address specified above. All communications received on or before the closing date for comments will be considered by the Transport Standards Staff before issuing the final AC.

Background

On October 20, 1998, the FAA published a Notice of availability of proposed AC 25.803–1A, and request for comments. In that notice, the FAA invited public comment on a proposed advisory circular (AC) which provides guidance on a means, but not the only means, of compliance with the Federal Aviation Regulations (FAR) concerning (1) conduct of full-scale emergency evacuation demonstrations, and (2) use of analysis and tests in lieu of conducting an actual demonstration.

Section 25.803(c) requires that for airplanes with a passenger seating capacity of more than 44 passengers, it must be shown that the passengers and required crewmembers can be evacuated to the ground in 90 seconds under simulated emergency conditions. Compliance can be shown by conducting a full-scale emergency evacuation demonstration under the test conditions specified in Appendix J of part 25 or a combination of analysis and testing found acceptable by the FAA. Advisory Circular 25.803–1, issued on November 13, 1989, provided guidance on how to conduct a full-scale emergency evacuation demonstration and the use of analysis and testing in lieu of conducting a full-scale demonstration. This proposed revision to the AC provides additional guidance on how to conduct a full-scale demonstration, including information on the test start signal, briefing of test participants, obtaining informed consent, and flight attendant training. In addition, the proposed revision expands the discussion on the determination on whether a combination of analysis and testing may be used in lieu of the full-scale demonstration, including the types of testing which may be necessary to support an analysis. Finally, additional guidance is provided on what and how information and test data should be provided in an analysis.

Since publication of that notice, the FAA has received a request that the comment period for the notice be extended past its original closing date of December 21, 1998, to allow more time in which to study the proposal and to prepare comments on this very important issue.

Reopening of Comment Period

The FAA has reviewed the request for consideration of an additional amount of time to comment on proposed AC 25.803–1A, and has determined that reopening the comment period would be in the public interest and that good cause exists for taking this action. Accordingly, the comment period of Notice of availability of proposed AC 25.803–1A, and request for comments, is reopened until May 7, 1999.

Issued in Renton, Washington, on February 1, 1999.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 99–3136 Filed 2–8–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 627]

Market Dominance Determinations—Product and Geographic Competition

AGENCY: Surface Transportation Board.

ACTION: Notice of Policy Statement.

SUMMARY: On December 21, 1998, the Surface Transportation Board (Board) served a decision changing its policy with respect to market dominance by eliminating product and geographic competition as factors in market dominance determinations in railroad rate proceedings.

EFFECTIVE DATE: January 17, 1999.

FOR FURTHER INFORMATION CONTACT: Thomas J. Stilling, (202) 565–1558. [TDD for the hearing impaired: (202) 565–1695.]

SUPPLEMENTARY INFORMATION: In *Market Dominance Determinations—Product and Geographic Competition,* STB Ex Parte No. 627 (served Dec. 21, 1998), the Board revised the guidelines used to determine whether a rail carrier has market dominance. Market dominance ''means an absence of effective competition from other rail carriers or modes of transportation for the transportation to which a rate applies,'' 49 U.S.C. 10707(a), and is a prerequisite to the Board's jurisdiction to review the reasonableness of a challenged rail rate, 49 U.S.C. 10701(d)(1), 10707(b), (c). In assessing whether a railroad has market dominance, the Board concluded that it was no longer practical to consider whether product competition (i.e., the ability of the complaining shipper to avoid using the defendant railroad by shipping or receiving a substitute product) or geographic competition (i.e., the ability of the complaining shipper to avoid using the defendant railroad by obtaining the same product from a different source, or by shipping the same product to a different destination) effectively constrained the railroad's rates. Rather, the Board decided to limit market dominance evidence to only evidence of direct intramodal competition (i.e., whether the complaining shipper can use other railroads to transport the same commodity between the same points) and intermodal competition (i.e., whether the complaining shipper can use other transportation modes, such as trucks or barges, to transport the same commodity between the same points).

Prior to 1976, all rail rates were subject to government oversight to enforce the statutory requirement that rates be ''just and reasonable.'' In Section 202(b) of the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act), Congress limited regulatory jurisdiction over the reasonableness of railroad rates to those instances where the railroad involved has market dominance. The 4R Act delegated to the Board's predecessor—the Interstate Commerce Commission (ICC)—the task of establishing standards and procedures for determining market dominance in rate cases, but expressly directed that those standards and procedures be ''designed to provide for a practical determination without administrative delay.''

In 1976, the ICC adopted market dominance procedures that declined to consider the effects of product or geographic competition on a railroad's ability to set its rates, out of concern that the introduction of such considerations would require extensive fact-finding and produce lengthy antitrust-type litigation. However, in 1979 the ICC changed its approach regarding product and geographic competition. Believing that consideration of product and geographic competition evidence would not necessarily conflict with the statutory directive to make practical market dominance determinations without administrative delay, the agency sanctioned the introduction of such evidence to show that effective competition exists.

Based on many years of experience processing rate complaint cases under the expanded approach to market dominance and the record developed in this rulemaking, the Board concluded that consideration of product and

geographic competition significantly impedes the efficient processing of such cases. Accordingly, to comply with both the recent legislative directive to process rate complaints more expeditiously and the long-standing Congressional intent that market dominance be a practical determination made without delay, the Board limited the evidence that would be considered to only that required by the statute, i.e., competition ''for the transportation to which a rate applies.''

The Board's decision is available on the Board's web site at www.stb.dot.gov. Copies of the decision also may be purchased from DC NEWS & DATA, INC. by phoning (202) 289–4357.

Dated: February 2, 1999.

Vernon A. Williams,

Secretary.

[FR Doc. 99–3120 Filed 2–8–99; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

[Treasury Directive Number 15–12]

Delegation of Authority to the Director, Bureau of Alcohol, Tobacco and Firearms, To Investigate Violations of 18 U.S.C. 1956 and 1957

Dated: January 25, 1999.

1. Purpose

This Directive delegates to the Director, Bureau of Alcohol, Tobacco and Firearms (ATF), authority to investigate violations of 18 U.S.C. 1956 and 1957.

2. Delegation

By virtue of the authority vested in the Secretary of the Treasury by 18 U.S.C. 981, 1956(e) and 1957(e) and the authority delegated to the Under Secretary (Enforcement) by Treasury Order (TO) 101–05, there is hereby delegated to the Director, ATF:

a. investigatory authority over violations of 18 U.S.C. 1956 or 1957 involving: 18 U.S.C. 2341–2346 (trafficking in contraband cigarettes); § 38 of the Arms Export Control Act, 22 U.S.C. 2778 (relating to the importation of items on the U.S. Munitions Import List, except violations relating to exportation, in transit, temporary import, or temporary export transactions); 18 U.S.C. 1952 (relating to traveling in interstate commerce, with respect to liquor on which Federal excise tax has not been paid); or any act or activity constituting an offense listed in 18 U.S.C. 1961(1), with respect to any act or threat involving arson, which is chargeable under State law and punishable for more than one year imprisonment; and

b. seizure and forfeiture authority and related authority under 18 U.S.C. 981 relating to violations of 18 U.S.C. 1956 or 1957 within the investigatory jurisdiction of ATF under paragraph 2.a., and seizure authority under 18 U.S.C. 981 relating to any other violation of 18 U.S.C. 1956 or 1957 if the bureau with investigatory authority is not present to make the seizure. Property seized under 18 U.S.C. 981 where investigatory jurisdiction is with another bureau not present at the time of the seizure shall be turned over to that bureau.

3. Forfeiture Remission

The Director, ATF, is authorized to remit or mitigate forfeitures of property valued at not more than $500,000 seized pursuant to paragraph 2.b.

4. Redelegation

The authority delegated by this Directive may be redelegated.

5. Coordination

a. If at any time during an investigation of a violation of 18 U.S.C. 1956 or 1957, the Director, ATF, discovers evidence of a matter within the jurisdiction of another Treasury bureau, the Director, ATF, shall immediately notify that bureau of the investigation and invite that bureau to participate in the investigation. The Director, ATF, shall attempt to resolve disputes over investigatory jurisdiction with other Treasury bureaus at the field level.

b. The Under Secretary (Enforcement) shall settle disputes that cannot be resolved by the bureaus. The Under Secretary (Enforcement) shall settle disputes over investigatory jurisdiction with the Internal Revenue Service in consultation with the Commissioner, Internal Revenue Service.

c. With respect to matters discovered within the investigatory jurisdiction of a Department of Justice bureau or the Postal Service, the Director, ATF, shall adhere to the provisions on notice and coordination in the ''Memorandum of Understanding Among the Secretary of the Treasury, the Attorney General and the Postmaster General Regarding Money Laundering Investigations,'' dated August 16, 1990, or any such subsequent memorandum of understanding entered pursuant to 18 U.S.C. 1956(e) or 1957(e).

d. With respect to seizure and forfeiture operations and activities within its investigative jurisdiction, ATF shall comply with the policy, procedures, and directives developed and maintained by the Treasury Executive Office for Asset Forfeiture. Compliance shall include adhering to the oversight, reporting, and administrative requirements relating to seizure and forfeiture contained in such policy, procedures, and directives.

6. Authorities

a. 18 U.S.C. 981, 1952, 1956, 1957, 1961, and 2341–2346.

b. 31 U.S.C. 5311–5326 (other than violations of 31 U.S.C. 5316).

c. 22 U.S.C. 2778.

d. TO 101–05, ''Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury,'' dated May 4, 1995.

e. TO 102–14, ''Delegation of Authority with Respect to the Treasury Forfeiture Fund Act of 1992,'' dated January 10, 1995.

7. Cancellation

Treasury Directive 15–12, ''Delegation of Authority to the Director, Bureau of Alcohol, Tobacco and Firearms to Investigate Violations of 18 U.S.C. 1956 and 1957,'' dated September 11, 1995, is superseded.

8. Expiration Date

This Directive shall expire three years from the date of issuance unless superseded or canceled prior to that date.

9. Office of Primary Interest

Office of the Under Secretary (Enforcement).

James E. Johnson,

Under Secretary (Enforcement).

[FR Doc. 99–3118 Filed 2–8–99; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Proposed Renewal of Information Collection; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. Currently, the OCC is soliciting comment concerning its extension, without change, of an