

Dated: September 18, 2007.

**C. Miller Crouch,**

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

[FR Doc. E7-18765 Filed 9-21-07; 8:45 am]

BILLING CODE 4710-05-P

## DEPARTMENT OF STATE

### [Public Notice 5939]

#### **Culturally Significant Objects Imported for Exhibition Determinations: "Lawrence Weiner: As Far as the Eye Can See"**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the object to be included in the exhibition "Lawrence Weiner: As Far as the Eye Can See," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the Whitney Museum, New York, NY, from on or about November 15, 2007, until on or about February 10, 2008, and at the Museum of Contemporary Art, Los Angeles, CA, from on or about April 13, 2008, to on or about July 14, 2008, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453-8048). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: September 17, 2007.

**C. Miller Crouch,**

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

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### **DOT's Migration to the Federal Docket Management Systems (FDMS)**

**AGENCY:** Office of the Secretary (OST), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces a service disruption to DOT's Docket Management System (DMS), which contains the public dockets for all DOT agencies (except for the Surface Transportation Board), the Transportation Security Administration (TSA), and the United States Coast Guard (USCG). (Subsequent references to "DOT" in this document also apply to TSA and USCG.) Effective September 30, 2007, DOT's DMS will be replaced by the Federal Docket Management System (FDMS), a government-wide, electronic docket management system. Please note that in preparation for migration, effective Thursday, September 27, 2007 at 5 p.m. DMS will no longer accept electronic comments/submissions. DMS will accept, as well as process, faxed and other paper documents up until 12 noon on Friday, September 28, 2007. If falling due during this transition, due dates for filings in rulemakings and adjudications will be delayed until October 1, 2007, unless otherwise advised by the originating office. On October 1, 2007 FDMS will begin accepting DOT-related electronic submission. At that time, it will display all open DOT dockets. Between October 1 and October 31, the remaining DOT dockets still will be accessible in DMS. By October 31, the full migration of all dockets currently in DMS is expected to be completed. The change in systems will not change any requirements in DOT regulations.

**FOR FURTHER INFORMATION CONTACT:** Renee V. Wright, Program Manager, Docket Operations, Office of Information Services, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone number: (202) 493-0402; fax number (202) 493-2251; e-mail address: [renee.wright@dot.gov](mailto:renee.wright@dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

FDMS is a major component of the President's e-Rulemaking Initiative, which provides easy access to the public dockets maintained by Federal agencies, while streamlining and increasing the efficiency of the internal procedures for agencies that did not already have electronic internet-

accessible systems. FDMS is designed so that the public has a single point of access to the public dockets across the Federal government. FDMS offers a standard, online procedure for Federal agencies to handle and process documents. The Initiative reduces costs by eliminating duplicative information systems and technical infrastructures.

##### *A. What Is FDMS?*

FDMS is a full-featured electronic docket management system that gives Federal personnel and docket managers the ability to better manage their rulemakings, adjudications, and other docketed program activities. With this system, more than thirty Federal departments and agencies can post documents, supporting materials, and public comments/submissions on the Internet and the public will have a one-stop site to search, view, and download documents, as well as to submit comments or other documents to the agency dockets. Although all Federal agencies are required to use FDMS for their rulemaking dockets, FDMS also will handle and process public docket materials for other purposes. DOT will use it for all of the material currently docketed in DMS, such as adjudications, peer review, and data quality. We will shortly add a docket subcategory for significant guidance documents.

##### *B. How Can I Access and Use FDMS?*

You may access FDMS on the Internet at <http://www.regulations.gov>. You may use FDMS to access available public docket materials online, as well as submit electronic comments or other documents to a particular docket available in FDMS.

##### *C. How Can I Search FDMS?*

You may also search for an available public docket or for particular docket material. FDMS provides two basic methods of searching to retrieve dockets and docket materials that are available in the system: (1) "Quick Search" to search using a full-text search engine, or (2) "Advanced Search," which displays various indexed fields such as the docket name, docket identification number, phase of the action, initiating office, date of issuance, document title, document identification number, type of document, **Federal Register** reference, CFR citation, etc. Each data field in the advanced search may be searched independently or in combination with other fields, as desired. Each search yields a simultaneous display of all available information found in FDMS that is relevant to the requested subject or topic.

#### D. How Can I Make Submissions to FDMS?

1. *Online.* You may submit your comments/submissions online to FDMS when a particular docket is open for public submissions. **Federal Register** notices and adjudicatory and other documents will usually identify whether a docket has been established in FDMS. FDMS also can be searched to determine if a docket has been established. Using <http://www.Regulations.gov> to submit comments or other documents is DOT's preferred method for receiving comments/submissions. Follow the online instructions for submitting comments/submissions.

2. *Mail.* Documents also may be submitted by mail to Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

3. *Hand-delivery.* Documents may be submitted by hand delivery or courier to West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

4. *Fax.* Faxed submissions are accepted at: 202-493-2251

#### E. How Will DOT Know Who Is Making a Submission?

As with DMS, FDMS is an "anonymous access" system, which means DOT will not know your identity, e-mail address, or other contact information unless it is provided in the body of your submission. DOT rules applicable to adjudicatory submissions still apply. We recommend that you include your name, mailing address, and an e-mail address or other contact information in the body of your document to ensure that you can be identified as the submitter. This also allows DOT to contact you in the event further information is needed or if there are questions. For example, if DOT cannot read your submission due to technical difficulties and you cannot be contacted, your submission may not be considered. Note that it is DOT's policy not to edit your submission; all documents received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Therefore, any identifying or contact information provided in the body of a submission will be included in the official public docket, and made available to the public.

#### F. What Effect Will Use of FDMS Have on My Privacy?

As with DMS, anyone is able to search the electronic form of all submissions entered into any of our dockets in FDMS by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketsInfo.dot.gov>, which will be available by October 1, 2007.

#### G. Will FDMS Offer List Serves Like DMS?

FDMS will offer a list serve. Anyone who had formerly signed up for the DMS list serve will have to sign up again in FDMS to receive e-mail notifications from FDMS. We apologize for any inconvenience this will cause. Note that FDMS's list serve will only allow users to sign up for specific dockets. Users will not be able to sign up for categories of dockets, such as all FMCSA rulemakings. Users also will not be able to sign up for the subject areas currently allowed in DMS. (e.g., federalism). Some features that were available in DMS will not work in FDMS. For example, the list serve in DMS can search our Rulemaking Management System (RMS) for data necessary to respond to a list serve request. FDMS cannot search RMS for data because it is not allowed to go behind the DOT firewall. In response to this change, to help identify matters of interest for which the public may wish to sign up in the FDMS list serve, DOT will provide some reports and other information on <http://DocketsInfo.dot.gov>.

## II. Migration From DMS to FDMS

### A. Phased Migration

Using a phased approach, all dockets currently contained in DMS will be moved to FDMS. All open DOT dockets (dockets to which DOT agencies or the public may still submit documents or comments) will be available in FDMS on October 1, 2007. Due to the tremendous amount of data to be transferred from DOT DMS to FDMS, the migration of the remaining dockets will occur over the month of October and is expected to be completed by October 31, 2007. During this time, DMS will remain online for searching, viewing, and downloading documents in these remaining DOT dockets.

Beginning October 1, 2007, any filing to an open docket must go to the FDMS at <http://www.Regulations.gov>. Until

12:00 noon on Friday, September 28, 2007, DMS will process all remaining September 27 electronic submissions in the pipeline, as well as any faxed or paper documents. DMS will accept, as well as process, faxed and paper documents up until 12:00 noon on Friday, September 28, 2007. Any faxed or paper submissions received after that time or not processed by 12:00 noon Friday, September 28, 2007, in DMS, will be processed on Monday, October 1 in FDMS.

### B. Docket ID Numbers

When DOT migrates its DMS data to FDMS, docket (identification) numbers that were assigned in DMS (legacy numbers), will, for the most part, remain the same in FDMS. However, dockets that used to be designated "OST", "RSPA", "BTS", and "OMCS" in DMS will change to the following:

OST-2007-1486 will become DOT-OST-2007-1486. RSPA-2007-1486 will become PHMSA-RSPA-2007-1486. BTS-2007-1486 will become RITA-BTS-2007-1486. OMCS-2007-1486 will become FMCSA-OMCS-2007-1486.

FDMS will provide online public access to all existing, legacy dockets in DMS. Any Docket opened after September 27, 2007, will receive a docket ID in FDMS format.

### C. DOT-wide Searches

If you want to search all DOT agencies, including OST, for a docket, you should do so by selecting "Department of Transportation (ALL)".

### D. FDMS Submissions and Docket Numbers

Currently in DMS, the public may submit comments and other documents, such as applications, petitions, exemptions, waivers, and other documents without knowing the actual docket ID. In FDMS, you are not allowed to submit a document without a docket ID. To handle this, DOT will be implementing "shell dockets". A "shell docket" will be a "catch all" for submissions, such as applications, petitions, exemptions, and/or waivers, and data quality without a docket ID. DOT staff will review the documents in the "shell docket" and file them appropriately.

### E. FDMS Docket Types

FDMS dockets are divided into two types, "Rulemaking" and "Non-Rulemaking." To review dockets or make submissions, please use the "Search the Docket" tab. Select the department or agency and use the docket type "non-rulemaking" for all

dockets other than rulemaking; from there you can select the appropriate subtype, such as "Peer Review".

### III. Additional Information

#### A. Information on Use of FDMS

Additional details about FDMS, as well as detailed instructions and assistance for using the system, are available at <http://www.regulations.gov>. DOT will also have available online by October 1, 2007, a new site that will provide helpful information about the use of FDMS for DOT dockets. The site will also contain other helpful information, such as reports that were available on DMS but will not be available on FDMS. The site will be at <http://DocketsInfo.dot.gov>. In addition, if you are interested in attending informational sessions regarding FDMS that DOT will be offering on October 3, 2007, (2–4 pm for the public) and October 4, 2007, (9–11 am for the public) in the DOT Conference Center/ Multi-Media Room, West Building, Room W11–130 at 1200 New Jersey Avenue, SE., Washington, DC. Sign up is available at <http://www.dms.dot.gov>.

#### B. Agencies Covered

This notice applies to: the Federal Aviation Administration (FAA), the National Highway Traffic Safety Administration (NHTSA), the Federal Highway Administration (FHWA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Research and Innovative Technology Administration (RITA), the Federal Transit Administration (FTA), the Maritime Administration (MARAD), the Pipeline and Hazardous Materials Safety Administration (PHMSA), the Saint Lawrence Seaway Development Corporation (SLSDC), and the Office of the Secretary (OST). Please note that the Transportation Security Administration (TSA) and the United States Coast Guard (USCG) also use DMS and their dockets will be transferring with the DOT dockets to FDMS.

**Renee V. Wright,**

*Program Manager, Docket Operations.*

Dated: September 19, 2007.

[FR Doc. 07–4709 Filed 9–19–07; 2:26 pm]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Submission Deadlines for Schedule Information for John F. Kennedy International Airport and Newark Liberty International Airport for the Summer 2008 Scheduling Season

**AGENCY:** Department of Transportation, Federal Aviation Administration (FAA).

**ACTION:** Notice of submission deadline.

**SUMMARY:** Under this notice, the FAA announces that New York's John F. Kennedy International Airport (JFK) and Newark Liberty International Airport (EWR) have been designated Level 2 Schedules Facilitated Airports for the summer 2008 scheduling season in accordance with the International Air Transport Association (IATA) Worldwide Scheduling Guidelines. Accordingly, the FAA announces an October 11, 2007, deadline for submitting schedule information for all planned flights at JFK and EWR between the hours of 6 a.m. and 11 p.m., local time or 1000 and 0300 UTC. The FAA deadline coincides with the submission deadline established by IATA for the Summer 2008 Schedules Conference.

The U.S. summer scheduling season is from March 9, 2008, through November 1, 2008, in recognition of the U.S. daylight saving time dates. The FAA understands the IATA summer 2008 season is March 30, 2008, through October 25, 2008. The FAA will accept schedules that coincide with the IATA scheduling season, rather than U.S. daylight saving dates, in order to ease the administrative burdens on carriers conducting international operations and in order to ensure that FAA has the most accurate schedule information.

The Level 2 designations for JFK and EWR are necessary because of increased levels of air traffic operations, congestion and delay at the airports and a tangible decrease in operational performance (performance data for each airport is provided below). The FAA is implementing a number of initiatives for JFK and EWR to improve air traffic control (ATC) efficiency and reduce delays at those and other airports. For instance, ATC has increased use of a second departure runway at JFK when conditions permit. Other measures for both airports will improve routing options during periods of adverse weather conditions. And, over the next several years, the FAA will redesign airspace in the New York/New Jersey/Philadelphia areas in order to improve efficiency and reduce delays. These near term measures, however, are not

sufficient to meet the current peak hour operational demands at these airports.

#### John F. Kennedy Airport

Operations at JFK were previously limited by the FAA under the High Density Rule. This rule was eliminated at JFK after January 1, 2007, in accordance with 49 U.S.C. 41715(a)(2). The FAA advised IATA and carriers that this effectively changed the FAA determination for JFK under IATA guidelines to Level 1 as of January 1, 2007. However, the FAA now redesignates JFK as Level 2 for the summer 2008 season and requests carriers to provide schedule information in accordance with this notice.

JFK is experiencing increased congestion with a corresponding decrease in on-time performance. Comparing the period of October 2006 through July 2007 to the same period in the previous year, the average daily operations at JFK increased 23 percent; the average daily arrivals with delays greater than one hour increased 114 percent; and on-time gate arrivals within 15 minutes of scheduled time decreased from 69.7 percent to 61.2 percent. Average taxi-out delay increased 19 percent from 30 to almost 36 minutes on average. The metrics for the months of June and July 2007 show even further deterioration of performance. A number of carriers communicated their concerns to the FAA about the impact the delayed flights are having on operational reliability, flight connections and network planning.

The FAA intends to work with carriers to review operations, particularly during the morning hours of 7 a.m. to 10 a.m. and afternoon and evening hours from 2 p.m. to 10 p.m. local time. Capacity exists for new operations or retiming of existing flights at many periods of the day. The FAA is currently completing a capacity and demand assessment of JFK and considering steps to address the timing of flights on the airport's operation. This could result in operational limits during peak hours and a change of JFK's designation to Level 3.

#### Newark Liberty International Airport

EWR has been one of the most consistently delayed airports in the National Airspace System (NAS). For example, for the period of October 2006 through July 2007, EWR had an on-time arrival performance of 60.17 percent, the worst among the top 35 airports. Therefore, based on the airport's performance metrics and the imbalance between ATC capacity and demand that is expected to continue in the near term,