

(Catalog of Federal Domestic Assistance No. 97.036, Public Assistance Grants)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

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BILLING CODE 9110-10-P

DEPARTMENT OF HOMELAND SECURITY

National Communications System

National Security Telecommunications Advisory Committee

AGENCY: National Communications System (NCS).

ACTION: Notice of open meeting.

SUMMARY: A meeting of the President's National Security Telecommunications Advisory Committee (NSTAC) will be held via conference call on Thursday, October 21, 2004, from 3 p.m. to 4 p.m. The NSTAC is subject to the Federal Advisory Committee Act (FACA), Pub. L. 92-463, as amended (5 U.S.C. App. II). The conference call will be opened to the public. The purpose of the meeting is to receive a briefing on:

- Homeland Security Presidential Directive 7 (HSPD7). While the call is opened to the public, the public and other non-NSTAC members will be placed on listen only (muted) lines. For access to the conference bridge and meeting materials, please register with Ms. Daniela Christopherson at (703) 607-6217 or by e-mail at Christod@ncs.gov by 5 p.m., Wednesday, October 20, 2004.

FOR FURTHER INFORMATION CONTACT: Call Ms. Kiesha Gebreyes, Chief, Industry Operations Branch at (703) 607-6134, or write the Manager, National Communications System, P.O. Box 4502, Arlington, Virginia 22204-4502.

Peter M. Fonash,

Federal Register Certifying Officer, National Communications System.

[FR Doc. 04-23424 Filed 10-15-04; 10:42 am]

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DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

RIN 1652-ZA01

Security Requirements for Aircraft Operators Certificated Pursuant to 14 CFR Part 125

AGENCY: Transportation Security Administration (TSA), DHS.

ACTION: Notice.

SUMMARY: TSA is providing notice that, pursuant to its authority under 49 Code of Federal Regulation (CFR) part 1550, we are requiring aircraft operators using aircraft with a maximum certificated takeoff weight (MTOW) over 12,500 pounds, that are certificated by the Federal Aviation Administration (FAA) under 14 CFR part 125 and that are not currently operating under a TSA security program, to meet the requirements of 49 CFR 1544.101(e) or (f) as specified in this notice. TSA has issued this requirement to respond to vulnerabilities in aviation security.

DATES: Effective November 18, 2004.

FOR FURTHER INFORMATION CONTACT: David Bernier, TSA-7, Director of Air Carrier Inspections, Aviation Regulation and Inspection Division, Office of Aviation Operations, Transportation Security Administration HQ, 11th Floor, East Building, 601 South 12th Street, Arlington, VA 22202-4220; telephone (571) 227-2200; facsimile (703) 603-0414; e-mail aircarrierinspection@tsa.dot.gov.

SUPPLEMENTARY INFORMATION: All aircraft operators that are not otherwise regulated under title 49 CFR and that are certificated by the FAA under 14 CFR part 125 must comply with the security requirements contained in § 1544.101 (e) or (f) of title 49 as explained below. TSA is issuing this notice pursuant to 49 CFR 1550.7 in response to vulnerabilities in civil aviation security.

The U.S. Intelligence Community continues to receive and evaluate a high volume of reporting indicating possible threats against U.S. interests. This reporting, combined with recent terrorist attacks, has created an atmosphere of concern. While the ability to conduct multiple, near simultaneous attacks against several targets is not new for such terrorist groups as al-Qa'ida, aircraft that are not required to comply with TSA's security regulations provide an attractive target for terrorist organizations attempting to evade aviation security measures currently in place. The Department of

Homeland Security remains concerned about al-Qa'ida's continued interest in aviation to carry out attacks on transportation and supporting infrastructure. In recognition of the current threat environment, TSA has made a determination that these circumstances require immediate action to ensure safety in air transportation.

Under 49 CFR 1550.7, each aircraft operation that is certificated by the FAA under part 125 and does not currently comply with a security program under 49 CFR part 1544 in an aircraft with a MTOW of more than 12,500 pounds, must conduct a search of the aircraft before departure and screen passengers, crew members and other persons, and all accessible property before boarding in accordance with security standards and procedures approved by TSA. TSA will require that for all-cargo operations conducted in an aircraft with a MTOW of more than 12,500 pounds and passenger operations conducted in an aircraft with a MTOW of more than 12,500 pounds and up to and including 45,500 kg (100,309.3 pounds), which are not currently operating under a TSA security program, such procedures and requirements as contained in 49 CFR 1544.101(e) and related security directives must be implemented. The requirements include, without limitation, a security program that provides for the security of persons and property traveling on flights, designation of an Aircraft Operator Security Coordinator, verification of the identity of flight crew members, security training, and procedures to respond to certain threats.

TSA will require that for all passenger operations with a MTOW greater than 45,500 kg (100,309.3 pounds) or with a passenger seating configuration of 61 or more, the security procedures must include the requirements listed in 49 CFR 1544.101(f) and related security directives. In addition to the requirements listed above, these operations must also screen individuals and their accessible property and provide for the use of metal detection devices and x-ray systems.

The size of the aircraft operating under part 125 certification, the number of passengers traveling on such aircraft, and the amount of cargo transported pose a significant threat to aviation security and require the application of security measures to these operations. Of particular concern to aviation security are part 125 operators that are functioning as private travel clubs. Such clubs, which are advertised on the Internet, solicit members who, after payment of initiation and membership fees, are able to purchase tour packages.

These clubs transport members and their baggage all over the world without the security measures required by TSA. Given this period of heightened security concern, it is critical that such operations are in compliance with TSA's security procedures and requirements.

TSA will assist any aircraft operator affected by this notice. The specific security programs and related security directives may be obtained by contacting David Bernier at the Transportation Security Administration: e-mail aircarrierinspection@tsa.dot.gov, telephone (571) 227-2200, or facsimile (703) 603-0414. Affected aircraft operators should notify TSA of any questions or issues regarding the implementation of these requirements as soon as practicable.

Issued in Arlington, Virginia, on October 12, 2004.

David M. Stone,

Assistant Secretary.

[FR Doc. 04-23390 Filed 10-18-04; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR 4848-N-03]

Homeless Management Information Systems (HMIS) Data and Technical Standards Final Notice; Clarification and Additional Guidance on Special Provisions for Domestic Violence Provider Shelters

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This notice clarifies and provides further guidance on the special provisions for domestic violence provider shelters participating in Homeless Management Information Systems (HMIS). This clarification and additional guidance follows issuance of the HMIS Data and Technical Standards Final Notice published on July 30, 2004, and the HMIS Data and Technical Standards Draft Notice, published on July 22, 2003.

DATES: *Effective Date:* August 30, 2004.

FOR FURTHER INFORMATION CONTACT: Michael Roanhouse, Office of Special Needs Assistance Programs, Office of the Assistant Secretary for Community Planning and Development, Room 7262, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000; telephone (202) 708-1226, ext. 4482 (this is not a toll-free number). Hearing- or speech-

impaired individuals may access this number by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

I. Introduction

This notice provides clarification and further guidance on the special provisions for domestic violence provider shelters (section 1.5.6.) in the Homeless Management Information Systems (HMIS) Data and Technical Standards Final Notice (Final Notice), published on July 30, 2004 (69 FR 45888). This notice provides clarification and additional guidance on the timing of participation and data collection, submission, and aggregation requirements for HUD McKinney-Vento funded domestic violence shelters.

II. Background

HUD supported the development of local HMISs in response to Congressional direction¹ on the need for improved data on and the analysis of the extent of homelessness and the effectiveness of the McKinney-Vento Act programs including: (1) Production of an unduplicated count of clients served at the local level; (2) analysis of patterns of use of people entering and exiting the homeless assistance system; and (3) evaluation of the effectiveness of the homeless assistance system. Broad-based participation of all homeless service providers at the local level in HMIS and the collection of longitudinal data are critical to meeting this directive.

Domestic violence programs play a critical role in many Continuums of Care (CoC) and constitute a large proportion of shelter beds and homeless service slots. Their absence from participation in an HMIS would prevent these communities from obtaining an unduplicated count of homeless persons in their community or understanding adequately the needs of the homeless population, including victims of domestic violence. In deciding whether domestic violence programs should be expected to participate in HMIS, HUD reviewed carefully the comments on the HMIS Data and Technical Standards Draft Notice, published on July 22, 2003 (68 FR 43430), and consulted with a wide range of stakeholders.

These stakeholders included local homeless assistance providers, domestic violence providers, national HMIS experts, national advocacy organizations, leading researchers and

other federal agencies. Comments on the draft notice and subsequent stakeholder discussions led HUD to conclude that it was critical for domestic violence programs to participate in HMIS so as to fully understand homelessness at the local and national levels. It was also determined that safety concerns for domestic violence programs could be addressed effectively if:

- A distinction is made between (1) data that domestic violence providers collect from homeless persons and (2) data that domestic violence providers submit to a central server in order to produce an unduplicated count of homeless persons at the CoC level;
- Domestic violence programs are given ample time to implement technological, administrative, and other safeguards to participate in their community's HMIS;
- Adequate local privacy and security standards are developed to protect client information; and
- HUD offers extensive technical assistance support to communities and domestic violence programs.

To address the specific concerns regarding participation, HUD is providing the following clarification and additional guidance on the timing of participation and data collection, submission, and aggregation requirements for HUD McKinney-Vento funded domestic violence shelters.

III. The Timing of Domestic Violence Shelter Provider Participation in HMIS

HUD recognizes that communities and domestic violence programs need time to develop and implement methods to effectively address domestic violence provider participation in HMIS and, therefore, permits CoCs to stage the entry of domestic violence programs last, including after the October 2004, goal for HMIS implementation. The later staging of domestic violence providers will not affect HUD's assessment of CoC progress in HMIS implementation in the national CoC competitive ranking process.

HUD did not state a deadline for domestic violence provider participation in the HMIS and recommended the staging of their addition to the HMIS implementation last to allow for adequate time for planning, discussion, investigation, and development of local participation policies. HUD acknowledges the privacy and security concerns of domestic violence providers and has given discretion to each CoC to work with their domestic violence providers to identify methods of participation that will maximize the safety of persons served by those providers. The Final

¹ Conference Report (H.R. Report 106-988) for the Fiscal Year (FY) 2001 HUD Appropriations Act (Pub. L. 106-377).