

**SMALL BUSINESS ADMINISTRATION****[Disaster Declaration #13382 and #13383]****North Carolina Disaster #NC-00046****AGENCY:** U.S. Small Business Administration.**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of North Carolina dated 11/08/2012.

*Incident:* Hurricane Sandy.

*Incident Period:* 10/27/2012 through 10/30/2012.

*Effective Date:* 11/08/2012.

*Physical Loan Application Deadline Date:* 01/07/2013.

*Economic Injury (EIDL) Loan Application Deadline Date:* 08/08/2013.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Dare.

*Contiguous Counties:*

North Carolina: Currituck; Hyde; Tyrrell.

The Interest Rates are:

|   | Percent |
|---|---------|
| <i>For Physical Damage:</i>   |         |
| Homeowners With Credit Available Elsewhere .....                                      | 3.375   |
| Homeowners Without Credit Available Elsewhere .....                                   | 1.688   |
| Businesses With Credit Available Elsewhere .....                                      | 6.000   |
| Businesses Without Credit Available Elsewhere .....                                   | 4.000   |
| Non-Profit Organizations With Credit Available Elsewhere ...                          | 3.125   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |
| <i>For Economic Injury:</i>   |         |
| Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere ..... | 4.000   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |

The number assigned to this disaster for physical damage is 133828 and for economic injury is 133830.

The State which received an EIDL Declaration # is North Carolina.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: November 8, 2012.

**Karen G. Mills,**

*Administrator.*

[FR Doc. 2012-28256 Filed 11-19-12; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Guidance on Review and Approval of Public Charter Prospectuses**

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Guidance on Review and Approval of Public Charter Prospectuses.

**SUMMARY:** The Department is publishing the following notice on new policies affecting the review and approval of public charter filings under 14 CFR Part 380 and related changes in the Department's enforcement policies.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Lowry, Attorney, Office of Aviation Enforcement and Proceedings (C-70), 1200 New Jersey Ave. SE., Washington, DC 20590, (202) 366-9349.

**DEPARTMENT OF TRANSPORTATION**

Office of the Secretary

Washington, DC

**Guidance on Review and Approval of Public Charter Prospectuses****Notice**

The abrupt cessation of service by the public charter operator, Southern Sky Air & Tours, LLC d/b/a Direct Air, in March 2012, and its subsequent bankruptcy, resulted in the cancellation of numerous charter flights and disrupted the travel plans of thousands of consumers. In light of the Direct Air collapse, the Office of International Aviation's Special Authorities Division, in conjunction with the Office of Aviation Enforcement and Proceedings (Enforcement Office), has revised its policies regarding the review and approval of public charter prospectuses filed under 14 CFR Part 380 and the related enforcement policy.

A number of practices followed by Direct Air may have exacerbated consumer harm. Among these were Direct Air's contracting out of its reservations process to a third party,

and its entry into direct air carrier contracts that were apparently limited to providing aircraft, crew, maintenance and insurance (ACMI). The public charter operator separately contracted on its own behalf directly with fuel suppliers and perhaps ground handlers. In addition, the charter operator collected consumer funds, accepting debit as well as credit card payments, through a voucher program in which consumers paid in advance for flights without selecting specific travel dates and without entering into the formal operator-participant contracts required by Part 380.

In the future, pursuant to the public interest responsibilities we have under 14 CFR 380.24, we will no longer approve public charter prospectus filings that do not, as part of the filings, contain:

(1) A statement, in addition to that required under section 380.28(a)(1)(iii), confirming that the contracts between the public charter operator and the direct air carriers include the full cost of the direct air service; that is, contracts between the tour operator and the direct air carriers must be all-inclusive and cannot be ACMI (i.e., fuel or ground handling cannot be addressed in separate contracts between the public charter operator and a third-party vendor); and

(2) A statement that the public charter operator will retain direct control of all passenger reservation records and will share those records with the direct air carrier to ensure that, in the event of a major disruption in the program as occurred with Direct Air, the direct air carrier would be able to identify and contact tour participants regarding returning flights, and to ensure that the charter operator can fulfill its obligation to provide appropriate cancellation notices to those with reservations more than 10 days in the future; if a public charter operator contracts with a third-party for reservations service, a duplicate, current copy of all reservations records must be accessible to the tour operator at all times.

In addition, to ensure that consumers not paying in cash receive the protections of the Fair Credit Billing Act (15 U.S.C. 1601 et seq.), public charter operators may accept payment, as the explicit language of section 380.31 currently provides, only by credit card, but not by debit card.<sup>1</sup> The Department will consider exemptions to this requirement provided it can be assured that debit card issuers, their merchant

<sup>1</sup> In a future rulemaking, the Department may address the use of debit cards in purchasing charter air transportation.

banks and credit card/debit card processors, will provide the same chargeback protections to those using debit cards as credit card users receive under the Fair Credit Billing Act.

Finally, as a matter of enforcement policy, the Enforcement Office will consider any voucher program such as that offered by Direct Air a *per se* violation of 14 CFR Part 380, and if that office discovers such a program it will pursue immediate enforcement action. A voucher program that accepts consumer funds without the consumer entering into a contract with specific flight dates is not the equivalent of the operator-participant contract required under Part 380 and does not provide protection of consumer funds under the escrow provisions of section 380.34.

This revised policy regarding approval of charter prospectuses will take effect 30 days from the date of this notice. Prospectuses filed after that date will not be accepted without the supplemental statements, outlined above. The Enforcement Office intends to undertake enforcement action, where appropriate, if it obtains evidence of violations of commitments made in those statements, or of the acceptance of debit purchases, or of sales initiatives such as the voucher program described above. Questions regarding this notice may be addressed to the Office of Aviation Enforcement and Proceedings (C-70), 1200 New Jersey Avenue SE., Washington, DC 20590.

An electronic version of this document is available at <http://www.regulations.gov>

Dated: November 13, 2012.

**Paul L. Gretch,**

*Director, Office of International Aviation.*

**Samuel Podberesky,**

*Assistant General Counsel for Aviation Enforcement and Proceedings.*

[FR Doc. 2012-28060 Filed 11-19-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 14, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before December 20, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at

[OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

#### FOR FURTHER INFORMATION CONTACT:

Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** Generic Clearances for Meaningful Access Information Collections.

**OMB Control Number:** NEW.

**Abstract:** A court order was issued in *American Council of the Blind v. Paulson*, 591 F. Supp. 2d 1 (D.D.C. 2008) (“*ACB v. Paulson*”) requiring the Department of the Treasury and BEP to “provide meaningful access to United States currency for blind and other visually impaired persons, which steps shall be completed, in connection with each denomination of currency, not later than the date when a redesign of that denomination is next approved by the Secretary of the Treasury \* \* \*.”

In compliance with the court’s order, BEP intends to meet individually with blind and visually impaired persons and request their feedback about tactile features that BEP is considering for possible incorporation into the next U.S. paper currency redesign. BEP employees will attend national conventions and conferences for disabled persons. At those gatherings, BEP employees will invite blind and visually impaired persons to provide feedback about certain tactile features being considered for inclusion in future United States currency paper designs.

The BEP also intends to contract with specialists in the field of visual acuity to develop methodologies for conducting scientific tests. Using those methodologies, the BEP or its contracted specialists will conduct acuity testing with select groups of blind and visually impaired volunteers. The acuity tests will help either confirm or provide other perspectives on the results of BEP’s information collections at national conferences and conventions. The acuity tests will also help ground bases for which BEP determines the

tactile feature to be incorporated into the next United States paper currency design.

The BEP’s information collection activities at national conferences will use identical methodologies or otherwise share a common element. Similarly, the BEP’s scientific studies will use very similar methodologies or share a common element. Thus the BEP, in order to comply with the court’s order in *ACB v. Paulson* requests OMB approval for two generic clearances to conduct various information collection activities. Over the next three years, the BEP anticipates undertaking a variety of new information collection activities related to BEP’s efforts to provide meaningful access to U.S. paper currency for blind and visually impaired persons. Following standard OMB requirements, for each information collection that BEP proposes to undertake under each of these generic clearances, the OMB will be notified at least two weeks in advance and provided with a copy of the information collection instrument along with supportive materials. The BEP will only undertake a new collection if the OMB does not object to the BEP’s proposal.

**Type of Review:** New Collection.

**Affected Public:** Individuals, Organizations.

**Respondent’s Obligation:** Voluntary.

**Estimated Number of Respondents:**

Approximately 500 per year. The BEP will conduct the majority of its information collection activities at conferences and conventions of organizations of blind and visually impaired persons. The BEP is able to estimate the number of attendees at such conferences and meetings based on historical data. The BEP, however, only collects information from volunteers who stop by its information booth, and who care to take the time responding to questions. It is difficult, therefore, to estimate the actual number of respondents from whom BEP may be able to collect information in a year. The BEP’s scientific studies may include more focused sample sizes, comprised of persons volunteering to participate in the studies.

**Estimated Average Time per**

**Respondent:** 30 minutes per response.

**Estimated Total Annual Burden**

**Hours:** Approximately 250 burden hours.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit written comments concerning: (a) Whether the