

equipment is located undergo substantial renovation or expansion.

(3) If an airport installs new televisions and other audio-visual displays for passenger safety briefings, information, or entertainment on or after October 5, 2015, such equipment must have high-contrast captioning capability.

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■ 4. Revise § 27.72 to read as follows:

§ 27.72 Boarding assistance for aircraft.

(a) This section applies to airports with 10,000 or more annual enplanements.

(b) Airports shall, in cooperation with carriers serving the airports, provide boarding assistance to individuals with disabilities using mechanical lifts, ramps, or other devices that do not require employees to lift or carry passengers up stairs. This section applies to all aircraft with a passenger capacity of 19 or more passenger seats, except as provided in paragraph (e) of this section. Paragraph (c) of this section applies to U.S. carriers and paragraph (d) of this section applies to foreign carriers.

(c) Each airport operator shall negotiate in good faith with each U.S. carrier serving the airport concerning the acquisition and use of boarding assistance devices to ensure the provision of mechanical lifts, ramps, or other devices for boarding and deplaning where level-entry loading bridges are not available. The airport operator must have a written, signed agreement with each U.S. carrier allocating responsibility for meeting the boarding and deplaning assistance requirements of this section between or among the parties. The agreement shall be made available, on request, to representatives of the Department of Transportation.

(1) All airport operators and U.S. carriers involved are jointly and severally responsible for the timely and complete implementation of the agreement.

(2) The agreement shall ensure that all lifts and other accessibility equipment are maintained in proper working condition.

(d) Each airport operator shall negotiate in good faith with each foreign carrier serving the airport concerning the acquisition and use of boarding assistance devices to ensure the provision of mechanical lifts, ramps, or other devices for boarding and deplaning where level-entry loading bridges are not available. The airport operator shall, by no later than November 3, 2015, sign a written

agreement with the foreign carrier allocating responsibility for meeting the boarding and deplaning assistance requirements of this section between or among the parties. The agreement shall be made available, on request, to representatives of the Department of Transportation.

(1) The agreement shall provide that all actions necessary to ensure accessible boarding and deplaning for passengers with disabilities are completed as soon as practicable, but no later than December 3, 2015.

(2) All airport operators and foreign carriers involved are jointly and severally responsible for the timely and complete implementation of the agreement.

(3) The agreement shall ensure that all lifts and other accessibility equipment are maintained in proper working condition.

(e) Boarding assistance agreements required in paragraphs (c) and (d) of this section are not required to apply to the following situations:

(1) Access to float planes;

(2) Access to the following 19-seat capacity aircraft models: The Fairchild Metro, the Jetstream 31 and 32, the Beech 1900 (C and D models), and the Embraer EMB-120;

(3) Access to any other aircraft model determined by the Department of Transportation to be unsuitable for boarding and deplaning assistance by lift, ramp, or other suitable device. The Department will make such a determination if it concludes that—

(i) No existing boarding and deplaning assistance device on the market will accommodate the aircraft without significant risk of serious damage to the aircraft or injury to passengers or employees, or

(ii) Internal barriers are present in the aircraft that would preclude passengers who use a boarding or aisle chair from reaching a non-exit row seat.

(f) When level-entry boarding and deplaning assistance is not required to be provided under paragraph (e) of this section, or cannot be provided as required by paragraphs (b), (c), and (d) of this section (*e.g.*, because of mechanical problems with a lift), boarding assistance shall be provided by any available means to which the passenger consents. However, hand-carrying (*i.e.*, directly picking up the passenger's body in the arms of one or more carrier personnel to effect a level change the passenger needs to enter or leave the aircraft) must never be used, even if the passenger consents, unless this is the only way of evacuating the individual in the event of an emergency.

(g) In the event that airport personnel are involved in providing boarding assistance, the airport shall ensure that they are trained to proficiency in the use of the boarding assistance equipment used at the airport and appropriate boarding assistance procedures that safeguard the safety and dignity of passengers.

Issued this day of July 29, 2015, in Washington, DC.

Anthony R. Foxx,

Secretary of Transportation.

[FR Doc. 2015-19078 Filed 8-4-15; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

49 CFR Part 611

[Docket No. FTA-2015-0007]

RIN 2132-ZA03

Notice of Availability of Final Interim Policy Guidance for the Capital Investment Grant Program

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of availability of final interim policy guidance.

SUMMARY: The Federal Transit Administration (FTA) is announcing the availability of final interim policy guidance on the Capital Investment Grant (“CIG”) program. The final interim guidance has been placed both in the docket and on FTA’s Web site. In brief, the policy guidance that FTA periodically issues on the CIG program complements the FTA regulations that govern the program. The regulations set forth the process that grant applicants must follow to be eligible for discretionary funding under the CIG program. The policy guidance provides a greater level of detail about the methods FTA uses to apply the evaluation criteria and the sequential steps a sponsor must follow in developing a project.

DATES: This final policy guidance is effective August 5, 2015.

FOR FURTHER INFORMATION CONTACT: Elizabeth Day, FTA Office of Planning and Environment, telephone (202) 366-5159 or *Elizabeth.Day@dot.gov*.

SUPPLEMENTARY INFORMATION: Pursuant to 49 U.S.C. 5309(g)(5), FTA is required to publish policy guidance on the CIG program each time the agency makes significant changes to the process and/or evaluation criteria, and in any event, at least once every two years. Also, FTA

is required to invite public comment on the policy guidance, and to publish its response to comments. In this instance, FTA published proposed interim policy guidance on April 8, 2015, at 80 FR 18796 (<http://www.gpo.gov/fdsys/pkg/FR-2015-04-08/pdf/2015-08063.pdf>). The final interim policy guidance and our response to comments is available on FTA's public Web site at <http://www.fta.dot.gov/newstarts> and in the docket at <http://www.regulations.gov>.

The final interim policy guidance addresses four subjects not addressed in either the regulations or the previous policy guidance document for the CIG program. Specifically these are: (1) The measures and breakpoints for the congestion relief criterion applicable to New Starts and Small Starts projects; (2) the evaluation and rating process for Core Capacity Improvement projects, including the measures and breakpoints for all the project justification and local financial commitment criteria applicable to those projects; (3) the prerequisites for entry into each phase of the CIG process for each type of project in the CIG program, and the requirements for completing each phase of that process; and (4) ways in which certain New Starts, Small Starts, and Core Capacity Improvement projects can qualify for "warrants" entitling them to automatic ratings on some of the evaluation criteria. This final policy guidance is characterized as "interim" because, in the near future, FTA will initiate a rulemaking to amend the regulations at 49 CFR part 611 to fully carry out the authorizing statute for the CIG program, 49 U.S.C. 5309, as amended by the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112-141; July 6, 2012) ("MAP-21"). The information gained through the public comment process on the interim policy guidance will inform the future rulemaking.

The final interim policy guidance being published today is approximately 100 typewritten pages in length, arranged in three stand-alone chapters for each of the three types of projects eligible for CIG funds: New Starts, Small Starts, and Core Capacity Improvements. Each chapter provides a short introduction, a discussion of eligibility for that type of project, a summary of the requirements for entry into and getting through each step of the CIG process, information on each of the project evaluation criteria, and an explanation of how FTA will determine the overall rating for a project. Each type of project in the CIG program—a New Start, Small Start, or Core Capacity Improvement—is governed by a unique set of requirements, although there are

many similarities amongst the three sets of requirements.

The final interim policy guidance does not address the Program of Interrelated Projects provisions or the pilot program for expedited project delivery included in MAP-21. The Program of Interrelated Projects provisions will be addressed through future rulemaking and policy guidance updates. On July 7, 2015, FTA published in a separate **Federal Register** notice at 80 FR 38801 (<http://www.gpo.gov/fdsys/pkg/FR-2015-07-07/pdf/2015-16515.pdf>), a request for expressions of interest for the pilot program for expedited project delivery.

FTA received 539 separate comments on the proposed interim policy guidance from 41 commenters, including cities, transit operators, state agencies, metropolitan planning organizations, non-profit organizations, and interested citizens. FTA's summary and response to these comments is available both on the agency's public Web site at <http://www.fta.dot.gov/newstarts> and in the docket at <http://www.regulations.gov>. The public comments are available, in their entirety, on the docket at <http://www.regulations.gov>.

This final interim policy guidance is effective immediately. It provides technical details necessary for FTA to apply the project evaluation and rating criteria. Sponsors of New Starts, Small Starts, and Core Capacity projects need this final interim policy guidance to gather and submit the data and information needed by FTA to move their projects into and through the process. In turn, FTA needs this data from project sponsors to prepare the agency's annual report to Congress on capital investment funding recommendations for the forthcoming Federal fiscal year, as required by 49 U.S.C. 5309(o)(1). For these reasons, and in accordance with the Administrative Procedure Act, 5 U.S.C. 553(d), FTA finds good cause for an exception to the requirement for 30-day publication prior to an effective date.

Issued in Washington, DC, under the authority delegated at 49 CFR 1.91.

Therese W. McMillan,

Acting Administrator.

[FR Doc. 2015-19200 Filed 8-4-15; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 130717632-4285-02]

RIN 0648-XE085

International Fisheries; Pacific Tuna Fisheries; 2015 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS is temporarily closing the U.S. pelagic longline fishery for bigeye tuna for vessels over 24 meters in overall length in the eastern Pacific Ocean (EPO) through December 31, 2015 because the 2015 catch limit of 500 metric tons is expected to be reached. This action is necessary to prevent the fishery from exceeding the applicable catch limit established by the Inter-American Tropical Tuna Commission (IATTC) in Resolution C-13-01, which governs tuna conservation in the EPO from 2014-2016.

DATES: The rule is effective 12 a.m. local time August 12, 2015, through 11:59 p.m. local time December 31, 2015.

FOR FURTHER INFORMATION CONTACT: Taylor Debevec, NMFS West Coast Region, 562-980-4066.

SUPPLEMENTARY INFORMATION: The United States is a member of the IATTC, which was established under the Convention for the Establishment of an Inter-American Tropical Tuna Commission signed in 1949 (Convention). The Convention provides an international agreement to ensure the effective international conservation and management of highly migratory species of fish in the IATTC Convention Area. The IATTC Convention Area, as amended by the Antigua Convention, includes the waters of the EPO bounded by the coast of the Americas, the 50° N. and 50° S. parallels, and the 150° W. meridian.

Pelagic longline fishing in the EPO is managed, in part, under the Tuna Conventions Act of 1950 (Act), 16 U.S.C. 951-962. Under the Act, NMFS must publish regulations to carry out recommendations of the IATTC that have been approved by the Department of State (DOS). Regulations governing fishing by U.S. vessels in accordance with the Act appear at 50 CFR part 300, subpart C. These regulations implement