

(d) and by adding the following new paragraph (c):

**§ 124.501 Miscellaneous reporting requirements.**

\* \* \* \* \*

*(c) Submission of financial statements.*

(1) Program Participants with actual gross annual receipts of \$5,000,000 or more must submit to SBA audited annual financial statements prepared by a licensed independent public accountant (as defined in part 107, appendix I, paragraph II. B) within 120 days after the close of the concern's fiscal year.

(i) Upon request by the Program Participant, SBA may waive the requirement for audited financial statements. Waivers under this paragraph may be granted by the appropriate District Director only for the first year that audited financial statements are required. Beyond such first year, only the AA/MSB&COD may waive this requirement for good cause shown by the Program Participant.

(ii) Circumstances where waivers of audited financial statements may be granted include, but are not limited to, the following:

(A) The concern has an unexpected increase in sales towards the end of its fiscal year that creates an unforeseen requirement for audited statements;

(B) The concern unexpectedly experiences severe financial difficulties which would make the cost of audited financial statements a particular burden; and

(C) The concern has been an 8(a) Program Participant less than 12 months.

(2) Program Participants with actual gross annual receipts of \$1,000,000 to \$4,999,999 shall submit to SBA reviewed annual financial statements prepared by a licensed independent public accountant (as defined in part 107, appendix I, paragraph II. B) within 90 days after the close of the concern's fiscal year.

(3) Program Participants with actual gross annual receipts of less than \$1,000,000 shall submit to SBA an annual statement prepared in-house or a compilation statement prepared by a licensed independent public accountant (as defined in part 107, appendix I, paragraph II. B), verified as to accuracy by an authorized officer, partner, or sole proprietor of the 8(a) concern, by signature and date, within 90 days after the close of the concern's fiscal year.

(4) Any audited financial statements submitted to SBA pursuant to § 124.501(c) shall be prepared in accordance with Generally Accepted Accounting Principles and reflect the

independent public accountant's opinion.

(5) While financial statements need not be submitted until 90 or 120 days after the close of an 8(a) concern's fiscal year, depending on the receipts of the concern, a concern seeking to be awarded an 8(a) contract between the close of its fiscal year and such 90 or 120-day time period must submit a final sales report signed by the CEO or President to SBA in order for SBA to determine/verify the concern's size and its compliance with competitive business mix targets. This report must show a breakdown of 8(a) and non-8(a) sales.

(6) Notwithstanding a concern's gross annual receipts, audited or reviewed annual and/or quarterly statements may be required whenever SBA determines it is necessary to obtain a more thorough verification of a concern's assets, liabilities, income and/or expenses, or to determine the concern's capacity to perform a specific 8(a) contract.

\* \* \* \* \*

Dated: April 5, 1995.

**Philip Lader,**  
*Administrator.*

[FR Doc. 95-13722 Filed 6-6-95; 8:45 am]

**BILLING CODE 8025-01-M**

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. 91-CE-25-AD; Amendment 39-9248; AD 95-11-15]**

**Airworthiness Directives; Alexander Schleicher GmbH & Co. Model ASK 21 Gliders**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to Alexander Schleicher GmbH & Co. (Alexander Schleicher) Model ASK 21 gliders. The required action requires replacing the parallel rocker with a part of improved design, and incorporating flight manual revisions. Two incidents of the parallel rocker breaking at the elevator connection on the affected gliders prompted this action. The actions specified by this AD are intended to prevent possible loss of elevator control that could result from a broken parallel rocker.

**DATES:** Effective July 14, 1995.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of July 14, 1995.

**ADDRESSES:** Service information that applies to this AD may be obtained from Alexander Schleicher GmbH & Company, D-36163, Poppenhausen-Wasserkuppe, Germany; or Eastern Sailplane, Heath Stage Route, Shelburne Falls, Massachusetts 01370; telephone (413) 625-6059. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Herman Belderok, Project Officer, Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Alexander Schleicher Model ASK 21 gliders was published in the **Federal Register** on January 18, 1995 (60 FR 3579). The action proposed to require replacing the parallel rocker at the automatic elevator connection with a part of improved design, and incorporating flight manual revisions. Accomplishment of the proposed action would be in accordance with Alexander Schleicher ASK 21 Technical Note No. 22, dated November 26, 1990.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

The compliance time of this AD is in calendar time instead of hours time-in-service (TIS). The average monthly usage of the affected gliders ranges throughout the fleet. For example, one owner may operate the glider 25 hours TIS in one week, while another operator may operate the glider 25 hours in one year. For this reason, the FAA has

determined that, in order to ensure that all of the affected gliders have parallel rockers of improved design installed, a calendar compliance time is used.

The FAA estimates that 35 gliders in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per glider to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$45 per glider. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$3,675. This figure is based upon the assumption that no affected glider owner/operator has accomplished the required replacement.

Alexander Schleicher has informed the FAA that improved design parallel rockers have been distributed for all 35 affected gliders. Assuming that each of these parts is installed on one of the affected gliders, the required action will not impose any cost impact upon U.S. operators.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### § 39.13 [Amended]

2. Section 39.13 is amended by adding a new AD to read as follows:

##### 95-11-15 Alexander Schleicher:

Amendment 39-9248; Docket No. 91-CE-25-AD.

**Applicability:** Model ASK 21 gliders (all serial numbers), certificated in any category.

**Note 1:** This AD applies to each glider identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For gliders that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (g) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any glider from the applicability of this AD.

**Compliance:** Required within the next 30 calendar days after the effective date of this AD, unless already accomplished.

To prevent possible loss of elevator control that could result from a broken parallel rocker, accomplish the following:

(a) Replace the parallel rocker with an improved and stronger part (part number 99.000.4940 with modification status 1) in accordance with the instructions in Alexander Schleicher ASK 21 Technical Note No. 22, dated November 26, 1991.

(b) Incorporate the flight manual revisions included with the technical note referenced above.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the glider to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) The replacement required by this AD shall be done in accordance with Alexander Schleicher ASK 21 Technical Note No. 22, dated November 26, 1990. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Alexander Schleicher GmbH & Company, D-36163, Poppenhausen-Wasserkuppe, Germany; or Eastern Sailplane, Heath Stage Route, Shelburne Falls, Massachusetts 01370. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-9248) becomes effective on July 14, 1995.

Issued in Kansas City, Missouri, on May 22, 1995.

##### Henry A. Armstrong,

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-12948 Filed 6-6-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 92-CE-13-AD; Amendment 39-9256; AD 95-12-06]

**Airworthiness Directives; Jetstream Aircraft Limited (formerly British Aerospace, Regional Aircraft Limited) Jetstream Models 3101 and 3201 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Jetstream Aircraft Limited (JAL) Jetstream Models 3101 and 3201 airplanes. The action requires modifying the shear fitting at the top of each escape hatch. A report of interference between the shear fitting on an escape hatch and a ceiling panel found while removing the escape hatch on one of the affected airplanes prompted this AD. The actions specified by this AD are intended to prevent the inability to utilize an escape hatch during an emergency situation because of interference.

**DATES:** Effective July 24, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 24, 1995.

**ADDRESSES:** Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; telephone