

of users access to specific information as governed by Federal privacy laws.

d. VIS will control access by requiring that users provide a valid account name and password. VIS will contain a function that tracks system usage for other authorized users (i.e., non-participating states, commercial institutions, and private individuals). VIS will require users to change access control identifiers at six month intervals.

The U.S. Coast Guard will operate the VIS in consonance with Federal security regulations, policy, procedures, standards and guidance for implementing the Automated Information Systems Security Program.

e. Only authorized DOT personnel and authorized U.S. Government contractors conducting system maintenance may access VIS records.

f. Access to records are password protected and the scope of access for each password is limited to the official need of each individual authorized access.

g. Additional protection is afforded by the use of password security, data encryption, and the use of a secure network, National Law Enforcement Telecommunications System (NLETS).

#### RETENTION AND DISPOSAL:

a. Records of active cases will be retained until they become inactive; inactive cases will be archived and retained for 50 years. Records will be selected to be archived into an off-line file for any vessel that has been inactive for a period of 10 years. A vessel is inactive when the State number and/or Coast Guard Document have expired with the exception of the vessels that have a law enforcement hold and vessels with a law enforcement status of stolen.

b. Daily backups shall be performed automatically. The backups will be comprised of weekly full backups followed by daily incremental backups; a log of transactions is maintained daily for recovery purposes.

c. Copies of backups are stored at an off-site location.

#### SYSTEM MANAGER(S) AND ADDRESS:

Department of Transportation, United States Coast Guard Headquarters, Information Resource Division, System Development Division (G-MRI-3), 2100 2nd Street, SW, Washington, DC 20593-0001.

#### NOTIFICATION PROCEDURE:

Submit a written request noting the information desired and for what purpose the information will be used. The request must be signed by the

individual or his/her legal representative. Send the request to: USCG Headquarters, Commandant (G-SII), 2100 2nd Street, SW., Washington, DC 20593-0001.

#### RECORD ACCESS PROCEDURES:

Same as Notification Procedures.

#### CONTESTING RECORD PROCEDURES:

Same as Notification Procedures.

#### RECORD SOURCE CATEGORIES:

All information entered into the VIS is gathered from participating states and the National Crime Information Center (NCIC) in the course of normal routine business. VIS information will be accessible through the Coast Guard Data Network (CGDN), National Law Enforcement Telecommunications System (NLETS), the Internet, and dial-up modem. VIS shall also interface with the Coast Guard's existing Merchant Vessel Documentation System (MVDS) DOT/CG 591 to provide participating states with information on USCG documented vessels and interface with the Motorboat Registration System to provide participating states with information on vessels registered by the Coast Guard for the state of Alaska.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

Portions of this system of records may be exempt from disclosure under the provisions of 5 U.S.C. 552a(k)(2). However, in specific cases where maintenance of information results in the denial of a right, privileges or benefits to which the individual is entitled, the information will be released in accordance with section (k)(2). This provides in part that material compiled for law enforcement purposes may be withheld from disclosure to the extent the identity of the source of the information would be revealed by disclosing the investigatory record, and the source has received an express promise that his/her identity would be held in confidence. Additionally, material received prior to 27 September 1974 will be withheld, if the source received an implied promise that his/her identity would be held in confidence.

Dated: November 19, 1997.

**Eugene K. Taylor, Jr.,**

*Director, Information Resource Management, Department of Transportation.*

[FR Doc. 97-32061 Filed 12-5-97; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aviation Rulemaking Advisory Committee; Transport Airplane and Engine Issues; New Tasks

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of a new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** Notice is given of new tasks assigned to and accepted by the Aviation Rulemaking Advisory Committee (ARAC). This notice informs the public of the activities of ARAC.

**FOR FURTHER INFORMATION CONTACT:** Stewart R. Miller, Manager, Transport Standards Staff, ANM-110, FAA, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Ave. SW., Renton, WA 98055-4056, telephone (425) 227-2190, fax (425) 227-1320.

#### SUPPLEMENTARY INFORMATION:

##### Background

The FAA has established an Aviation Rulemaking Advisory Committee to provide advice and recommendations to the FAA Administrator, through the Associate Administrator for Regulation and Certification, on the full range of the FAA's rulemaking activities with respect to aviation-related issues. This includes obtaining advice and recommendations on the FAA's commitment to harmonize its Federal Aviation Regulations (FAR) and practices with its trading partners in Europe and Canada.

One area ARAC deals with is Transport Airplane and Engine issues. These issues involve the airworthiness standards for transport category airplanes in 14 CFR parts 25, 33, and 35 and parallel provisions in 14 CFR parts 121 and 135. The corresponding European airworthiness standards for transport category airplanes are contained in Joint Aviation Requirements (JAR)-25, JAR-E, and JAR-P, respectively. The corresponding Canadian Standards are contained in Chapters 525, 533, and 535 respectively.

##### The Tasks

This notice is to inform the public that the FAA has asked ARAC to provide advice and recommendation on the following harmonization tasks:

*Task 1.* As a short-term project, consider the need for a regulation that requires installation of ice detectors, aerodynamic performance monitors, or another acceptable means to warn

flightcrews of ice accumulation on critical surfaces requiring crew action (regardless of whether the icing conditions are inside or outside of Appendix C of 14 CFR Part 25). Also consider the need for a Technical Standard Order for design and/or minimum performance specifications for an ice detector and aerodynamic performance monitors. Develop the appropriate regulation and applicable standards and advisory material if a consensus on the need for such devices is reached. (Schedule: September 1998, Reach agreement on proposed rule; January 1999, NPRM package delivered to FAA from ARAC; March 1999, Publish NPRM; March 2000, Publish Final Rule.)

As long-term projects:

**Task 2.** Review National Transportation Safety Board recommendations A-96-54, A-96-56, and A-96-58, and advances in ice protection state-of-the-art. In light of this review, define an icing environment that includes supercooled large droplets (SLD), and devise requirements to assess the ability of aircraft to safely operate either for the period of time to exit or to operate without restriction in SLD aloft, in SLD at or near the surface, and in mixed phase conditions if such conditions are determined to be more hazardous than the liquid phase icing environment containing supercooled water droplets. Consider the effects of icing requirement changes on 14 CFR part 23 and part 25 and revise the regulations if necessary. In addition, consider the need for a regulation that requires installation of a means to discriminate between conditions within and outside the certification envelope. (Schedule: September 1999, Reach technical agreement; January 2000, NPRM package delivered to FAA from ARAC; March 2000, Publish NPRM; March 2001, Publish Final Rule.)

**Task 3.** Propose changes to make the requirements of 14 CFR 23.1419 and 25.1419 the same (Schedule: September 1999, Reach technical agreement; January 2000, NPRM package delivered to FAA from ARAC; March 2000, Publish NPRM; March 2001, Publish Final Rule)

**Task 4.** Harmonize 14 CFR §§ 23.1419, 25.1419, 25.929, and 25.1093 and JAR 23.1419, 25.1419, 25.929, and 25.1093. (Schedule: September 1999, Reach technical agreement; January 2000, NPRM package delivered to FAA from ARAC; March 2000, Publish NPRM; March 2001, Publish Final Rule)

**Task 5.** Consider the effects icing requirement changes may have on 14 CFR §§ 25.773(b)(1)(ii), 25.1323(e),

25.1325(b) and revise the regulations if necessary. (Schedule: September 1999, Reach technical agreement; January 2000, NPRM Package delivered to FAA from ARAC; March 2000, Publish NPRM; March 2001, Publish Final Rule (if necessary)).

**Task 6.** Consider the need for a regulation on ice protection of angle of attack probes (Schedule: September 1999, Reach technical agreement; January 2000, NPRM package delivered to FAA from ARAC; March 2000, Publish NPRM; March 2001, Publish Final Rule (if necessary)).

**Task 7.** Develop or update advisory material pertinent to items 2 through 6 above. (Schedule: October 2000, Advisory material package delivered to FAA from ARAC; March 2001, Publish advisory material).

If ARAC determines rulemaking action (e.g., NPRM, supplemental NPRM, final rule, withdrawal) should be taken, or advisory material should be issued or revised, it has been asked to prepare the necessary documents, including economic analysis, to justify and carry out its recommendation(s).

#### ARAC Acceptance of Tasks

ARAC has accepted these tasks and has chosen to assign them to a new Ice Protection Harmonization Working Group (IPHWG) under the Transport Airplane and Engine issue. The new working group will serve as staff to ARAC to assist ARAC in the analysis of the assigned tasks. Working group recommendations must be reviewed and approved by ARAC. If ARAC accepts the working group's recommendations, it forwards them to the FAA as ARAC recommendations.

The IPHWG will coordinate with the Flight Test Harmonization Working Group, other harmonization working groups, organizations, and specialists as appropriate. Other affected groups, organizations, and specialists may include but not be limited to the Powerplant Installation Harmonization Working Group, Engine Harmonization Working Group, General Aviation Manufacturers Association (GAMA), human factors specialists, and meteorologists. Coordination with the Flight Test Harmonization Working Group will be necessary to ensure that the IPHWG does not initiate work on issues already being addressed by the Flight Test group. Coordination with GAMA will be necessary to ensure that the proposed NASA Advanced General Aviation Transport Experiment project is considered throughout the process of accomplishing the short and long term projects. The IPHWG will request ARAC assignment of tasks to existing working

groups if necessary. The IPHWG will identify to ARAC the need for additional new working groups when existing groups do not have the appropriate expertise to address certain tasks.

#### Working Group Activity

The Ice Protection Harmonization Working Group is expected to comply with the procedures adopted by ARAC. As part of the procedures, the working group is expected to:

1. Recommend a work plan for completion of the tasks, including the rationale supporting such a plan, for consideration at the meeting of ARAC to consider Transport Airplane and Engine Issues held following publication of this notice.

2. Give a detailed conceptual presentation of the proposed recommendations, prior to proceeding with the work stated in item 3 below.

3. For each task, draft appropriate regulatory documents with supporting economic and other required analyses, and/or any other related guidance material or collateral documents the working group determines to be appropriate; or, if new or revised requirements or compliance methods are not recommended, a draft report stating the rationale for not making such recommendations.

4. Provide a status report at each meeting of ARAC held to consider Transport Airplane and Engine Issues.

#### Participation in the Working Group

The Ice Protection Harmonization Working Group will be composed of experts having an interest in the assigned tasks. A working group member need not be a representative of a member of the full committee.

An individual who has expertise in the subject matter and wishes to become a member of the working group should write to the person listed under the caption **FOR FURTHER INFORMATION CONTACT** expressing that desire, describing his or her interest in the tasks, and stating the expertise he or she would bring to the working group. The request will be reviewed by the assistant chair, the assistant executive director, and the working group chair, and the individual will be advised whether or not the request can be accommodated.

The Secretary of Transportation has determined that the formation and use of ARAC are necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of ARAC will be open to the public. Meetings of the Ice Protection Harmonization Working Group will not

be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. No public announcement of working group meetings will be made.

Issued in Washington, DC, on November 24, 1997.

**Joseph A. Hawkins,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 97-32034 Filed 12-5-97; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-97-3163]

#### Decision That Nonconforming 1995 Ferrari F50 Passenger Cars Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that nonconforming 1995 Ferrari F50 passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that 1995 Ferrari F50 passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 1995 Ferrari F50), and they are capable of being readily altered to conform to the standards.

**DATE:** This decision is effective December 8, 1997.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the

motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Motors of Kingsville, Maryland ("J.K.") (Registered Importer R-90-006) petitioned NHTSA to decide whether 1995 Ferrari F50 passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on August 18, 1997 (62 FR 44030) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice, from Fiat Auto U.S.A., Inc. (Fiat), the U.S. representative of Ferrari, S.p.A., the vehicle's manufacturer. In its comment, Fiat observed that non-U.S. certified 1995 Ferrari F50 passenger cars are equipped with manual 3-point seat belts while their U.S. certified counterparts are equipped with motorized 2-point shoulder belts and manual 2-point lap belts. Fiat contended that modification of a non-U.S. certified 1995 Ferrari F50 for compliance with the automatic restraint requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*, would be very difficult, if not impossible, owing to the fact that the vehicle has a carbon body. Fiat additionally observed that the petitioner inaccurately described the vehicle as having "rear belts," in view of the fact that it is a two seater. With respect to the requirements of FMVSS No. 210, *Seat Belt Assembly Anchorages*, Fiat claimed that non-U.S. certified 1995 Ferrari F50 passenger cars have 3-point anchorages, while their U.S. certified counterparts have 4-point anchorages. Addressing the requirements of FMVSS No. 214, *Side Impact Protection*, Fiat contended that U.S. certified 1995 Ferrari F50 passenger cars have a steel beam inside their doors that cannot be simply added to the non-U.S. certified version of the vehicle.

NHTSA afforded J.K. an opportunity to respond to Fiat's comments. With respect to Fiat's comments regarding FMVSS No. 208 and 210 compliance issues, J.K. responded that the automatic belt system that is supplied on the U.S. certified 1995 Ferrari F50 bolts on to existing mounts that are on the seats and door frames of the non-U.S. certified version of the vehicle. J.K. additionally acknowledged that the reference to rear seat belts in the petition was in error since the 1995 Ferrari F50 has no rear seat. With respect to the FMVSS No. 214 compliance issue raised by Fiat, J.K. stated that the door beams in the U.S. certified 1995 Ferrari F50 are bolt-on components that can be easily installed on the non-U.S. certified version of the vehicle without the need for fabrication or welding.

NHTSA has reviewed each of the issues that Fiat has raised regarding J.K.'s petition. NHTSA believes that J.K.'s responses adequately address each of those issues. NHTSA further notes that the modifications described by J.K. are consistent with its finding that a non-U.S. certified 1995 Fiat F50 is "capable of being readily altered to comply with all Federal motor vehicle safety standards."

NHTSA has accordingly decided to grant the petition.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-226 is the eligibility number assigned to vehicles admissible under this decision.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that 1995 Ferrari F50 passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are substantially similar to 1995 Ferrari F50 passenger cars originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CAR 593.8; delegations of authority at 49 CAR 1.50 and 501.8.