

compliance with 46 CFR 91.60-10 (Cargo Ship Safety Equipment Certificate). Until regulations are issued, ABS, NCB, and any other organization designated by the Coast Guard, will follow the procedures in NVIC 10-97. NVIC 10-97 is available on the World Wide Web at: <http://www.dot.gov/dotinfo/uscg/hq/g-m/gmhome.htm> in "Publications, Reports and Forms." Paper or CD-ROM copies will soon be available for a free through the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, telephone 703-605-6000, or fax 703-321-8547.

Dated: December 23, 1997.

Joseph J. Angelo,

Director of Standards, Marine Safety and Environmental Protection.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[AC No. 183-35G CHG 1]

Proposed Changes to Advisory Circular on Airworthiness Designee Function Codes and Consolidated Directory for DMIR/DAR/ODAR/DAS/DOA AND SFAR NO. 36

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: This notice is proposing two changes to AC 183-35G. The proposed changes address revising the description of the DAR-F and ODAR-F Codes and Functions No. 08 and the DAR-T and ODAR-T Codes and Functions No. 23. These Codes and Functions are changed to address the new airworthiness approval identified in FAA Order 8130.21B.

DATES: Comments must be received on or before January 15, 1998.

ADDRESSES: Send all comments and requests for copies of the proposed AC to: Federal Aviation Administration; ATTN: Evangeline Raines, AFS-640, P.O. Box 25082, Oklahoma City, OK 73125.

FOR FURTHER INFORMATION CONTACT: John Rice, AFS-640, at the above address; telephone (405) 954-6484, (8:00 a.m. to 5:00 p.m. CST).

SUPPLEMENTARY INFORMATION: The Designee Standard Branch, AFS-640, has made changes to AC 183-35G, FAA DAR, DAS, DOA, AND SFAR PART 36 DIRECTORY, to address the new airworthiness approval identified in

FAA Order 8130.21B. The proposed changes address revised the description of the DAR-F and ODAR-F Codes and Functions No. 08 and the ODAR-T Codes and Functions No. 23.

08 Issue original standard airworthiness certificate for U.S. registered aircraft and original airworthiness approvals for engines, propellers, parts and appliances that conform to the approved design requirements and are in a condition for safe operation.

The new verbiage for DAR-T and ODAR-T Codes and function number will read:

23 Issue recurrent airworthiness certificate for U.S. registered aircraft, including Very Light Aircraft (VLA) and recurrent airworthiness approvals for engines, propellers, parts and appliances that conform to the approved design requirements and are in a condition for safe operation.

The FAA intends to revise and republish the advisory circular to seek public comment each time it is proposed to add or delete an authorized function. Additional areas of delegation will be selected and authorized by the Director of Airworthiness based on recommendations from the other FAA elements and the aviation community.

Issued in Washington, DC.

Bill M. Pickelsimer,

Assistant Manager, Regulatory Support Division.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA has determined that the minimum percentage rate for drug testing for the period January 1, 1998, through December 31, 1998, will remain at 25 percent of covered aviation employees for random drug testing and will decrease to 10 percent of covered aviation employees for random alcohol testing.

FOR FURTHER INFORMATION CONTACT: Ms. Patrice M. Kelly, Office of Aviation Medicine, Drug Abatement Division, Program Implementation and Special Projects Branch (AAM-810), Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-8976.

SUPPLEMENTARY INFORMATION:

Administrator's Determination of 1998 Random Drug and Alcohol Testing Rates

In final rules published in the **Federal Register** on February 15, and December 2, 1994 (59 FR 7380 and 62218, respectively), the FAA announced that it will set future minimum annual percentage rates for random alcohol and drug testing for aviation industry employers according to the results which the employers experience conducting random alcohol and drug testing during each calendar year. The rules set forth the formula for calculating an annual aviation industry "violation rate" for random alcohol testing and an annual aviation industry "positive rate" for random drug testing. The "violation rate" for random alcohol tests means the number of covered employees found during random tests given under 14 CFR part 121, appendix J to have an alcohol concentration of 0.04 or greater plus the number of employees who refused a random alcohol test, divided by the total reported number of employees given random alcohol tests plus the total reported number of employees who refused a random test. The "positive rate" means the number of positive results for random drug tests conducted under 14 CFR part 121, appendix I plus the number of refusals to take random drug tests, divided by the total number of random drug tests plus the number of refusals to take random drug tests. The violation rate and the positive rate are calculated using information required to be submitted to the FAA by specified aviation industry employers as part of an FAA Management Information System (MIS) and form the basis for maintaining or adjusting the minimum annual percentage rates for random alcohol and drug testing as indicated in the following paragraphs.

When the annual percentage rate for random alcohol testing is 25 percent or more, the FAA Administrator may lower the rate to 10 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the violation rate is less than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the violation rate is less than 1.0 percent but equal to or greater than 0.5 percent.

When the minimum annual percentage rate for random alcohol