procedural failures to meet a requirement of section 274A(b) of the Act if the employer or recruiter or referrer for a fee made a good faith attempt to meet such requirement. An employer or recruiter or referrer for a fee will not be considered to have made a good faith attempt to meet such requirement when:

(i) The technical or procedural failure was committed with the intent to avoid a requirement of the Act, as demonstrated by the totality of circumstances including but not limited to the substantial presence of unauthorized aliens hired by the employer combined with a pattern of repeated failures in the completion of the Form I–9 with respect to such unauthorized aliens, or failure of the employer to prepare the Form I–9 until after the employer is served with a Notice of Inspection;

(ii) The technical or procedural failure was committed in knowing reliance on section 274A(b)(6) of the Act;

(iii) The employer or recruiter or referrer for a fee corrected or attempted to correct the technical or procedural failure with knowledge or in reckless disregard of the fact that the correction or attempted correction contained a false, fictitious, or fraudulent statement or material misrepresentation, or has no basis in law or fact;

(iv) The employer or recruiter or referrer for a fee prepared the Form I–9 with knowledge or in reckless disregard of the fact that the Form I–9 contained a false, fictitious, or fraudulent statement or material misrepresentation, or has no basis in law or fact; or

(v) The type of failure was previously the subject of a Warning Notice described in § 274a.9(c) or Notice of Intent to Fine described in § 274a.9(d), or a notice of technical or procedural failures.

(2) An employer or recruiter or referrer for a fee will be subject to civil money penalties under § 274a.10(b) notwithstanding paragraph (e)(1) of this section if, after receiving notice of the technical or procedural failure(s), the employer or recruiter or referrer for a fee does not voluntarily correct the failure(s) on the Form I–9 by the date specified in the notice. The date specified in the notice must be at least 10 days after the date the notice is received in the case of personal service and 15 days after the date on the notice in the case of service by certified or regular mail. No penalty will apply if the failure could not reasonably be corrected, and the employer or recruiter or referrer for a fee provides a Service officer with an explanation of why the failure(s) cannot reasonably be corrected by the date specified in the notice. This explanation may be written or oral at the discretion of the Service officer. The employer or recruiter or referrer for a fee will be deemed to have properly corrected a technical or procedural failure where the employer or recruiter or referrer for a fee:

(i) In the case of a failure in section 1 of the Form I–9, ensures that the individual, preparer and/or translator corrects the failure on the Form I–9, initials the correction, and dates the correction; or

(ii) In the case of a failure in sections 2 or 3 of the Form I–9, corrects the failure on the Form I–9, initials the correction, and dates the correction.

Dated: March 29, 1998.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 98–8969 Filed 4–6–98; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

9 CFR Part 200

Petition for Rulemaking: Packer Livestock Procurement Practices

AGENCY: GIPSA, Agriculture.

ACTION: Notice of release of analysis regarding petition for rulemaking.

SUMMARY: The Secretary of Agriculture received a petition for rulemaking submitted by the Western Organization of Resource Councils (WORC) on October 12, 1996. The petition requested that the Department of Agriculture (USDA) initiate rulemaking to restrict certain livestock procurement practices regarding forward contracting and packer feeding. In order to facilitate full discussion of the issues raised in the petition, USDA published the petition in the **Federal Register** on January 14, 1997 (62 FR 1845) and requested public comment. The comment period closed on April 14, 1997. A team of USDA personnel reviewed the petition, comments, the congressionally-mandated concentration study that USDA completed in 1996, and other available economic studies.

The Secretary of Agriculture has not yet reached a conclusion regarding WORC's petition for rulemaking. USDA is continuing an open dialogue with industry participants to address livestock pricing and concentration issues. In the spirit of that dialogue, the analysis of the petition and comments is available on GIPSA's internet homepage (http://www.usda.gov/gipsa/lateadd/lateadd.htm).

ADDRESSES: You may request a copy of the analysis by contacting the Deputy Administrator, Packers and Stockyards Programs, GIPSA, USDA, Stop 3641, 1400 Independence Avenue, SW, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Jay A. Johnson, Acting Director, Packer and Poultry Division, (202) 720–7363.

Dated: March 30, 1998.

David R. Shipman,

Acting Administrator.

[FR Doc. 98–8987 Filed 4–6–98; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Ch. I

[Docket No. 28814; Summary Notice No. PR–98–1]

Petition for Rulemaking; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT

ACTION: Notice of petition for rulemaking received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this notice publishes a petition requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Publication of this notice is not intended to affect the legal status of any petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before June 8, 1998.

ADDRESSES: Send comments in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket No. 28814, 800 Independence Avenue, SW, Washington, DC 20591. Comments may also be sent electronically to the following internet address: 9-NPRM-CMTS@faa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), Room 915G,

FAA Headquarters Building (FOB 10A), 800 Independence Ave., SW, Washington, DC 20591; telephone (202) 267–3132.

FOR FURTHER INFORMATION CONTACT: Elizabeth Allen, (202) 267–8199, Office of Rulemaking (ARM–105), Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, DC, on April 1, 1998.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

PETITION FOR RULEMAKING

Docket No.: 28814

Petitioner: Mr. William P. Horn, Counsel for Alaska Professional Hunters Association Birch, Horton, Bittner and Cherot

Regulations Affected: 14 CFR 91.1 and 14 CFR 135

Description of Rule Change Sought: Inasmuch as the petitioner did not submit a summary of the petition for rulemaking, the FAA is publishing the petition verbatim to ensure that each of the petitioner's points are presented fairly and accurately. It is the Petitioner's position that 14 CFR Part 91 alone governs the air operations of Alaskan hunt and fish guides. The petitioner wants the FAA to partially augment the requirements of 14 CFR Part 91. By contrast, it is the FAA's position that 14 CFR Parts 119, 121, and 135 apply to the air operations of Alaskan hunt and fish guides for compensation or hire, and commenters should be aware that the FAA published a notice in the **Federal Register** (January 2, 1998, 63 FR 4), entitled, ''Compliance With Parts 119, 121, and 135 by Alaskan Hunt and Fish Guides Who Transport by Air for Compensation or Hire.'' On January 30, 1998, the petitioner filed a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit challenging the FAA's notice. *Alaska Prof'l Hunters Ass'n* v. *Federal Aviation Admin.*, No. 98–1051 (D.C. Cir.).

The Petition:

January 31, 1997.

Ms. Linda Daschle,

Acting Administrator, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591–0002

Re: Petition for Rulemaking on Regulation of Alaskan Aero-lodge Pilots

Dear Ms. Daschle: This letter is written on behalf of the Alaska Professional Hunters Association (''APHA'') to petition the Federal Aviation Administration (''FAA'') to initiate a rulemaking pursuant to 5 U.S.C. § 553(e) to amend 14 C.F.R. Part 91 for the purpose of enhancing the safety of Alaskan aero-lodge flight operations. (Alaskan aero-lodge flight operations are conducted by pilots and guides who fly guests to their lodges or remote areas for a hunting or fishing experience. The aero-lodge pilots primary purpose is to serve as a guide during a hunting or fishing trip.) We understand that the FAA has considered unilaterally changing the regulation of the Alaskan aero-lodge flight operations and pilots without using a rulemaking process. (The APHA wrote a letter to you on December 10, 1996, discussing many of the issues discussed in this petition. That letter is incorporated by reference in this petition. A copy is attached as Exhibit 1.) The APHA requests that a rulemaking process precede any dramatic changes in regulations as required by the Administrative Procedure Act. By using the rulemaking process, all parties can be brought to the table and afforded an opportunity to provide meaningful comment. The APHA looks forward to working with the FAA in an effort to provide the public with safe and enjoyable outdoor experiences in Alaska.

For the past thirty-three (33) years, the FAA has regulated the Alaskan aero-lodge pilots who fly passengers from remote lodges to even more remote hunting or fishing areas under 14 CFR Part 91. The FAA had determined that this transportation was incidental to the purpose of the business and thus the Alaskan aero-lodge pilots qualified for regulation under Part 91. For this three decade period, the aero-lodge pilots have relied upon this determination and have conducted their hunting and fishing operations in reliance on this long-standing ruling. To change their classification to Part 135 operators would impose distinct and significantly greater obligations and duties on the aero-lodge pilots. APHA maintains that many of the requirements under Part 135 are impracticable, unjustified and unnecessary for aero-lodge pilots. An immediate change to Part 135 would not merely clarify or explain existing law or regulation, or remind the public of existing duties; it would impose substantial new duties on Alaskan aero-lodge pilots and subject them to the FAA's enforcement power if they fail to comply. These facts mandate that the FAA make such a change only as part of a rulemaking. (*See, e.g., Jerri's Ceramic Arts* v. *Consumer Prod. Safety Comm'n*, 874 F.2d 205, (4th. Cir. 1989).

The APHA agrees with the FAA that some increased regulatory measures are advisable to ensure the continued safety of the Alaskan aero-lodge pilots and their guests. (The APHA has long been committed to and enjoys a reputation for the safety of its members, the public and the men and woman who fly in Alaska. See Exhibit 2.) The APHA is convinced the proposals in this petition will promote safe flight without imposing arbitrary, unnecessary and costly regulations on bush pilots and aero-lodge operators in Alaska. This proposed rulemaking also is consistent with 49 U.S.C. § 44701: ''Administrator of the FAA has the duty to promote regulations and minimum standards to promote the safe flight of civil aircraft in air commerce.''

The APHA is an association of over 650 individual guides, outfitters, and others interested in hunting and recreational opportunities in Alaska. Many members of APHA rely on or are pilots who fly guests to their camps, lodges or remote areas where a hunt or other recreational activity is to be conducted. As you know, Alaska covers over 586,000 square miles, which is ⅕th of the area of the continental United States. There are very few existing roads and the sheer size of the State-designated Game Management Units demands the use of airplanes to reach the many hunting and fishing sites. As an industry, the APHA uses aircraft as one of the means to transport hunters and anglers to and from remote locations. The Alaskan aero-lodge pilots do not sell transportation from Point A to Point B. If weather prohibits a flight or a hunt occurs in a nearby vicinity that can be accessed without an airplane, the guides still charge and receive the same compensation. In other words, the cost does not increase if a plane is used to transport the guests. Thus, the Alaskan aero-lodge pilots are correctly regulated under Part 91.

A. Proposed Regulatory Additions to Part 91

Although the APHA recognizes the benefit of increased safety, it is not persuaded that the Alaskan aero-lodge pilots should be subject to all requirements of Part 135. As explained below, this is simply unnecessary. The APHA proposes that Part 91 continue to apply but with added requirements, some taken from Part 135, that match the realities of the Alaskan aero-lodge pilot situation. The APHA also proposes that there be a phase-in period of at least one year.

1. Adding additional minimum pilot certification, experience and qualifications to Part 91 for aero-lodge pilots will increase safety by requiring more experienced pilots.

Currently, under Part 91, pilots need to have a pilots license without any more advanced certification. In addition, Part 91 has a relatively low minimum hour requirement and requires a third class medical certificate.

After careful consideration and in recognition of the sometimes challenging flight conditions in Alaska, the APHA recommends that Part 91 be amended, for application in Alaska, to impose the following four new requirements on aero-lodge pilots:

a. Aero-lodge pilots must have a Commercial Rating.

By requiring the aero-lodges to hire commercial pilots, the FAA is increasing the base level of skill required of aero-lodge pilots. The increased aeronautical knowledge and flight proficiency requirements beyond that required for a standard pilot's license makes good sense when applied to the aero-lodge pilots. Commercial pilots are required to have a higher level of knowledge about airplane operations, including retractable landing gear, loading and balance computations and an advanced knowledge of the significance and use of the airplane performance speeds. In addition, commercial

pilots must also competently perform precision approaches to normal and crosswind takeoffs and landings as well as utilizing specified approach speeds. Commercial pilot ratings also require demonstrated competence in more emergency situations than a standard pilot license.

The requirement for increased knowledge regarding loading and balance computations makes good sense for aero-lodge pilots who often bring people and significant amounts of gear into the wilderness. Increased emergency procedure training is also a significant benefit as the aero-lodge pilots operate in remote areas with less predictable weather.

b. Aero-lodge pilots must have a minimum of 500 hours of flight time in Alaska.

This requirement exceeds that required for a commercial pilot. Where a commercial pilot is only required to have 250 hours of flight time, the APHA is recommending that aero-lodge pilots be required to have 500 hours of flight time in Alaska. Increasing the number of hours required to fly as an aero-lodge pilot will necessitate the hiring of more experienced and safer pilots. Moreover, requiring significant experience in Alaska will help insure that aero-lodge pilots are fully capable of dealing with the unique terrain and weather conditions found in Alaska.

c. Aero-lodge pilots must participate in an annual flight review.

Under 14 CFR 61.56, pilots must participate in a flight review every two years. The APHA recommends the aero-lodge pilots participate in an annual flight review. This will demand the aero-lodge pilots keep their skills sharp and inform them of the newest safety innovations. Allowing the aero-lodge pilots to schedule their annual flight reviews in the off-season will encourage compliance by the pilots and help the aero-lodges remain operational in the active hunting/fishing seasons.

d. Aero-lodge pilots must qualify for and receive a second class medical certificate.

As a commercial pilot, aero-lodge pilots would have to qualify for and receive a second class medical certificate. As you are aware, the primary difference between a second class and third class medical certificate is the increased vision requirements. When flying in remote, uncontrolled airspace, it is vital that a pilot's vision be clear enough to detect otherwise unannounced aircraft. In addition, the importance of using aeronautical maps increases when flying in remote areas. By requiring the aero-lodge pilots have a second-class medical certificate you will help ensure they can clearly and easily read the aeronautical maps as well as live by the rule of ''See and be seen.''

These significant changes would go a long way toward increasing safety by requiring more experienced pilots without requiring the far more extensive Part 135 requirements that are better suited for bona fide air taxi operations.

2. Adding additional aircraft requirements will help aero-lodge pilots ensure the high quality of their aircraft and equipment.

The APHA is also committed to aircraft safety and related maintenance requirements. The APHA recommends that Part 91 be amended to require Alaskan aero-lodge pilots to meet the manufacturers' recommended overhaul times for the engine, propeller and prop governor. In addition, the APHA recommends that the aircraft be required to have annual and 125 hour inspections to ensure superior maintenance of the equipment. This recommendation exceeds the current requirements for Part 91 operators and raises the standard for maintenance of the aircraft used in the Alaskan bush.

3. Proposed regulatory language.

The APHA recommends that the following language be adopted to institute the above changes:

91.1(c). In addition to complying with this Part, each person who operates an aircraft to transport guests and/or equipment to or from a commercial hunting, fishing, or recreational lodge in Alaska shall also comply with § § 61.121, 61.123, 61.127, 61.129, 61.139, 67.15, and 135.421. In addition, these pilots must also have a total of at least 500 hours of flight time in Alaska as a pilot and participate in an annual flight review as described under § 61.56 and their airplane must be inspected after 125 hours of flight time. These requirements go into effect one year from the date of publication as a final rule.

B. Requiring Aero-Lodge Pilots to Operate under Part 135 Will Not Improve Safety and Will Cripple a Thriving Industry

The APHA is also strongly requesting that the FAA not require Alaskan aero-lodge pilots to comply with Part 135. Complying with the considerable paperwork and inspection requirements for Part 135 operators would create a great hardship to the small businessmen and women who run Alaska's aero-lodges. Most fishing lodge operators only have guests for 14 weeks each summer. Hunting guides operate only during the limited hunting seasons in their Game Management Units. The season may only be 4 to 10 weeks annually. Both fishing and hunting guides use their aircraft to provide their lodges and spike camps (remote camps) with supplies, food, fuel and gear. Bringing necessary supplies is a large part of the flight operations of the aero-lodges and does not involve any passengers.

The Alaskan aero-lodge pilots fly a minimum amount of time compared with Part 135 operators. They fly hunters to their remote camps, hunt with them and then return. For example, each aircraft of most aero fishing lodges (that often fly anglers six days a week) only fly between 100 and 200 hours annually carrying anglers.

The following are only a few examples of how Part 135 requirements would significantly harm the aero-lodges in Alaska:

1. 14 C.F.R. 135.41 requires a minimum of 3 years Part 135 experience for the Director of Operations and the Chief Pilot.

Most aero-lodges do not have both a chief pilot and a director of operations. In fact, many hunting and fishing operations have only one pilot who serves as the chief pilot, the director of operations and the guide. These are small operations that should not be expected to fill out and keep the large amount of paperwork necessary to run a full service air taxi.

In addition, the pilots with the minimum 3 years of Part 135 experience are more interested in working in the more lucrative air taxi operations than working for part of the year as an Alaskan aero-lodge pilot. Importantly, most pilots with the required Part 135 experience are not qualified guides. The FAA should be aware that the State of Alaska strictly regulates and certifies hunting guides; it takes a substantial effort to become a registered guide. Few aero-lodges can afford to hire an additional non-guide pilot who would work only an hour or two each day.

2. 14 C.F.R. 135.267 requires at least 13 days of rest periods or at least 24 hours for each calendar quarter.

A calendar quarter would include the months of July, August and September, which is almost the entire sport fishing season. For the vast majority of aero-lodge operations that only have one or two aero-lodge pilots, 13 days off during the short season would cripple most operations. Aero-lodge pilots simply do not have the same kind of duties as Part 135 operators. The former typically fly 1 to 3 hours per day and rarely, if ever, approach the 8 hour limit per day. The aero-lodge pilots are not on any time table where they have to fly so many routes every day and routinely do not fly for sustained periods that induce weariness or fatigue.

This restriction alone could put several aero-lodges out of business and clearly does not make sense when applied to the aero-lodge industry.

3. Part 135 maintenance requirements are not necessary.

One of the biggest differences between Part 135 and Part 91 lies in the maintenance section. Part 135 operators must have all maintenance, including oil changes and seat installation, performed by a licensed A&P mechanic. This requirement would devastate the aero-lodge industry. There are few lodges in Alaska that could afford to hire a full time A&P mechanic to stand by to change the oil, a spark plug or remove a seat. In the remote locations where the aero-lodges are located, it is virtually impossible and potentially unsafe to return to a larger community where an A&P mechanic is available to perform routine tasks. The pilots are capable of performing these minor tasks and have done so for the past 33 years.

The aero-lodge operators recognize the vital importance of safe equipment. With advance planning, the aero-lodge operators easily are able to attend the required 125 hour inspections and can schedule a trip to a mechanic. However, when minor, unscheduled mechanical problems arise, returning to a more urban location to find a mechanic would shut down the smaller operations entirely. The aero-lodge pilots should be able to make the minor repairs and keep the lodge in business.

4. 14 C.F.R. 135.293 requires initial and recurrent pilot testing.

An important concern for aero-lodge operators centers on a potential problem arising from the requirements of 14 C.F.R. 135.293. This section requires a pilot to pass a written or oral test on the aircraft, navigation, air traffic control procedures, meteorology and new equipment within the

preceding year. This section also requires a competency check in the class of aircraft the pilot commands within the preceding year. A very real and pressing concern for the aero-lodge operators arises when a lodge operator feels it is necessary to discharge his current pilot. If this happens, it would be a virtual impossibility to get a new pilot in quickly if they had to have an authorized check ride and pass a written or oral test.

The FAA has recognized the difficulty in finding authorized check airmen in the remote parts of Alaska. Although an operator may be able to locate a qualified pilot, he would be prohibited from hiring him because of the large potential of being unable to find an authorized check airman, ground school for certification and hazardous materials certification. With the extremely short season, even a couple of days without a pilot could spell economic disaster for a guide or lodge operator.

5. 14 C.F.R. 135.299 requires route checks for Part 135 pilots.

This section requires an approved check pilot give a flight check to all Part 135 pilots within the preceding year. Importantly, this section requires the check ride consist of at least one flight over one route segment. Aero-lodge pilots do not fly standardized routes to and from remote fishing/hunting locations. The hunting/fishing destinations can change daily to reflect migrations or runs and cannot be standardized. As such, there are no routes per se that could be checked. Because the routes often change daily, a check flight along one segment of a route does not necessarily improve safety.

In addition, the areas where the aero-lodge pilots fly are remote and difficult to access by FAA approved check pilots. Many hunting and fishing camps are literally a day's flight out of Anchorage. It would be disastrous for an aero-lodge operator to have to shut down his camp while he awaited the approved check pilot to arrive from Anchorage or Fairbanks and then fly a sample route (that could change daily) with the aero-lodge pilot.

The annual flight review recommended by APHA would address many of the same safety issues addressed in 14 C.F.R. 135.299, the safety briefings and new equipment updates. However, the route checks would not be necessary in an annual flight review, thus, eliminating the problems found in this section.

C. Conclusion

As stated before, providing safe recreational opportunities is one of the primary goals of APHA. The APHA recognizes and supports regulation of air travel in Alaska. However, regulation that is unnecessary and detrimental to small businesses is not needed. The determination of what regulations best fit the unique situation in Alaska must be determined through informal consultation and ultimately rulemaking.

For these reasons, the APHA looks forward to working with you and the Alaska Congressional Delegation to find a strong solution—one that promotes safety, allows businesses to continue to operate efficiently, and does not saddle Alaskan aero-lodge pilots with unnecessary regulations.

The APHA stands ready to assist you in this rulemaking.

Sincerely,

William P Horn,

Birch, Horton, Bittner and Cherot.

[FR Doc. 98–9075 Filed 4–6–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–SW–07–AD]

Airworthiness Directives; Eurocopter France Model AS 332C, L, L1, and L2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Eurocopter France Model AS 332C, L, L1, and L2 helicopters. This proposal would require visually inspecting the intermediate gearbox-to-structure attachment stirrup (stirrup) front tabs for cracks, and if a crack is discovered, removing the intermediate gearbox and replacing it with an airworthy intermediate gearbox; and inspecting for the conformity of the attachment parts. This proposal is prompted by five reports of failure of the two stirrup tabs. The actions specified by the proposed AD are intended to prevent failure of the intermediate gearbox stirrup front tabs, loss of anti-torque drive, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before May 7, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98–SW–07–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Mr. Scott Horn, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5125, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 98–SW–07–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98–SW–07–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Eurocopter France Model AS 332C, L, L1, and L2 helicopters with intermediate gearboxes, part number 332A35–0002 all dash numbers, 332A35–0010 all dash numbers, and 332A35–0011–01, that have not been modified in accordance with MOD 0761049 or MOD 0761050. The DGAC advises that cracks have