

Geographic coverage	Percentage differential rate
American Samoa (including the island of Tutuila, the Manua Islands, and all other islands of the Samoa group east of longitude 171° west of Greenwich, together with Swains Island) .....	25.0
Johnston Atoll .....	25.0
Midway Atoll .....	25.0
Territory of Guam and Commonwealth of the Northern Mariana Islands .....	20.0
Wake Atoll .....	25.0

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## OFFICE OF GOVERNMENT ETHICS

### 5 CFR Part 2634

#### RIN 3209-AA00

#### Technical Amendments to Qualified Trust Model Certificates Privacy and Paperwork Notices

**AGENCY:** Office of Government Ethics (OGE).

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Office of Government Ethics is revising the Privacy Act and Paperwork Reduction Act notices for the model qualified trust certificates of independence and compliance, as codified in an appendix to its executive branchwide financial disclosure regulations, to make a couple minor updating changes.

**EFFECTIVE DATE:** June 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** William E. Gressman, Senior Associate General Counsel, Office of Government Ethics; Telephone: 202-208-8000, extension 1110; TDD: 202-208-8025; FAX: 202-208-8037.

**SUPPLEMENTARY INFORMATION:** In this rulemaking, OGE is making technical Privacy Act and paperwork-related revisions to appendix C of its executive branchwide financial disclosure regulation codified at 5 CFR part 2634. Appendix C sets forth the Privacy Act and Paperwork Reduction Act (public burden) notices for the certificates of independence and compliance (as themselves codified at appendixes A and B to part 2634) for qualified blind and qualified diversified trusts under the Ethics in Government Act of 1978, 5 U.S.C. appendix. First, OGE is adding the words “judge- issued” before the word “subpoena” in the routine use paraphrased in paragraph (3) of the Privacy Act Statement in appendix C order to more accurately reflect case law requirements for any such disclosures. The Office of Government Ethics is also working on a revised notice for its

executive branchwide OGE/GOVT-1 system of records that will include a similar revision. Second, OGE is revising the Public Burden Information and Paperwork Reduction Act Statement in appendix C to indicate the current title of the OGE official to contact for any paperwork comments, the Deputy Director for Administration and Information Management. These changes were included in the recent three-year paperwork renewal OGE received from the Office of Management and Budget for the model certificates and ten other uncodified model trust documents.

#### Matters of Regulatory Procedure

##### Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b) and (d), as Director of the Office of Government Ethics, I find good cause exists for waiving the general notice of proposed rulemaking and the opportunity for public comment as to these revisions. The notice and comment are being waived because these technical amendments concern matters of agency organization, practice and procedure. Moreover, it is in the public interest that these updating technical revisions take effect promptly.

##### Executive Order 12866

In promulgating these technical amendments to appendix C to the branchwide financial disclosure regulations, OGE has adhered to the regulatory philosophy and the applicable principles of regulation set forth in section 1 of Executive Order 12866, Regulatory Planning and Review. These amendments have not been reviewed by the Office of Management and Budget under the Executive order, since they are not deemed “significant” thereunder.

##### Executive Order 12988

As Director of the Office of Government Ethics, I have reviewed this final amending regulation in light of section 3 of Executive Order 12988, Civil Justice Reform, and certify that it meets the applicable standards provided therein.

#### Regulatory Flexibility Act

As Director of the Office of Government Ethics, I certify under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that this rulemaking will not have a significant economic impact on a substantial number of small entities because it primarily affects high-level Federal executive branch officials who seek OGE approval for the creation of Ethics Act-qualified blind and diversified trusts and their trust fiduciaries.

#### Paperwork Reduction Act

The certificates of independence and compliance are information collections within the scope of the Paperwork Reduction Act (44 U.S.C. chapter 35). As noted above, the Office of Management and Budget recently granted its paperwork approval for a period of three years for the certificates as codified in appendixes A, B and C to 5 CFR part 2634, with only the latter procedural appendix C being amended in this rulemaking document.

#### Unfunded Mandates Reform Act

For purposes of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. chapter 25, subchapter II), this rule will not significantly or uniquely affect small governments and will not result in increased expenditures by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (as adjusted for inflation) in any one year.

#### Congressional Review Act

The Office of Government Ethics has determined that this amending rulemaking is a nonmajor rule under the Congressional Review Act (5 U.S.C. chapter 8) and has submitted a report thereon to the United States Senate, House of Representatives and General Accounting Office in accordance with that law.

#### List of Subjects in 5 CFR Part 2634

Certificates of divestiture, Conflict of interests, Financial disclosure, Government employees, Penalties, Privacy, Reporting and recordkeeping requirements, Trusts and trustees.

Approved: April 29, 2002.

**Amy L. Comstock,**

*Director, Office of Government Ethics.*

For the reasons set forth in the preamble, the Office of Government Ethics is amending 5 CFR part 2634 as follows:

#### **PART 2634—[AMENDED]**

1. The authority citation for part 2634 continues to read as follows:

**Authority:** 5 U.S.C. App. (Ethics in Government Act of 1978); 26 U.S.C. 1043; Pub. L. 101-410, 104 Stat. 890, 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990), as amended by Sec. 31001, Pub. L. 104-134, 110 Stat. 1321 (Debt Collection Improvement Act of 1996); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

#### **Appendix C to Part 2634—[Amended]**

2. Appendix C to part 2634 is amended by adding the words “judge-issued” before the word “subpoena” in the paragraph numbered (3) of the Privacy Act Statement, and by removing the words “Associate Director for Administration” from the second sentence of the first paragraph of the Public Burden Information and Paperwork Reduction Act Statement and adding in their place the words “Deputy Director for Administration and Information Management”.

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#### **DEPARTMENT OF TRANSPORTATION**

##### **Federal Aviation Administration**

##### **14 CFR Part 39**

**[Docket No. 2001-SW-37-AD; Amendment 39-12737; AD 2002-09-04]**

**RIN 2120-AA64**

##### **Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for Bell Helicopter Textron, Inc. (BHTI) Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF helicopters, that requires inspecting each affected tail rotor blade forward tip weight retention block (tip block) and the aft tip closure (tip closure) for adhesive bond voids,

and removing any tail rotor blade with an excessive void from service. This AD also requires modifying certain tail rotor blades by installing shear pins and tip closure rivets. This amendment is prompted by five occurrences of missing tip blocks or tip closures resulting in minor to substantial damage. The actions specified by this AD are intended to prevent loss of a tip block or tip closure, loss of a tail rotor blade, and subsequent loss of control of the helicopter.

**DATES:** Effective June 7, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 7, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

##### **FOR FURTHER INFORMATION CONTACT:**

Michael Kohner, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193-0170, telephone (817) 222-5447, fax (817) 222-5783.

**SUPPLEMENTARY INFORMATION:** A proposal to amend 14 CFR part 39 to include an AD for BHTI Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF helicopters was published in the **Federal Register** on November 28, 2001 (66 FR 59374). That action proposed to require inspecting the tip block and the tip closure for adhesive bonding voids, and removing any tail rotor blade with an excessive void from service. It also proposed to require modifying certain tail rotor blades by installing shear pins and tip closure rivets in the tip area of affected tail rotor blades.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 281 helicopters of U.S. registry will be affected by this AD, that it will take approximately 3 work hours per helicopter to inspect certain tail rotor blades and to install the shear pins and

tip closure rivets, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$25 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$57,605.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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. 106(g), 40113, 44701.

##### **§ 39.13 [Amended]**

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

**2002-09-04 Bell Helicopter Textron, Inc.:** Amendment 39-12737. Docket No. 2001-SW-37-AD.

**Applicability:** Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF helicopters with a tail rotor blade, part number 212-010-750-009, -011, -105, -107, -109, or -111, having a serial number (S/N) prefix ATR or A3, or a S/N with a prefix A and a number less than or equal to 11529, installed, certificated in any category.