### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2007–05–02 Empresa Brasileira de Aeronautica S.A. (EMBRAER):** Amendment 39–14963. Docket No. FAA–2006–26356; Directorate Identifier 2006–NM–166–AD.

**Effective Date**

(a) This AD becomes effective April 5, 2007.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to all EMBRAER Model ERJ 170–100 LR, –100 STD, –100 SE, –100 SU, –200 LR, –200 STD, and –200 SU airplanes; and Model ERJ 190–100 STD, –100 LR, and –100 IGW airplanes; certificated in any category.

**Unsafe Condition**

(d) This AD results from reports of erroneous air speed indications caused by blockage of the pitot sensors due to freezing of accumulated moisture in the air data smart probe (ADSP) pneumatic passages. We are issuing this AD to prevent an erroneous air speed indication, which could reduce the flightcrew's ability to control the airplane.

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Inspect To Determine Part Number (P/N) of ADSPs**

(f) Within 600 flight hours after the effective date of this AD, inspect to determine the part number of the ADSPs. For any Rosemount Aerospace ADSP having P/N 2015G2H2H–4(), 2015G2H2H–5(), 2015G2H2H–6(), or 2015G2H2H–7(), do the applicable actions required by this AD. For any ADSP having any other part number, no further action is required by this AD.

**Note 1:** The parentheses used in the identified ADSP model part numbers indicate the presence or absence of an additional letter(s), which varies with the basic ADSP model designation. The letter(s) defines minor changes that do not affect interchangeability or eligibility of the ADSP. Therefore, this AD still applies regardless of the presence or absence of these letters on the ADSP model designation.

**Detailed Inspection, Moisture Removal, and Related Investigative/Corrective Actions**

(g) Within 600 flight hours after the effective date of this AD, perform a detailed inspection for blockage of the pitot drain holes of the ADSP, remove accumulated moisture from the pneumatic passages of the ADSP, and, before further flight, do all related investigative actions and applicable corrective actions. Perform all required actions in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 170–34–0007, dated April 28, 2005 (for Model ERJ 170 airplanes); or EMBRAER Service Bulletin 190–34–0003, dated December 2, 2005 (for Model ERJ 190 airplanes); as applicable. Repeat all required actions thereafter at intervals not to exceed 600 flight hours.

**Note 2:** EMBRAER Service Bulletins 170–34–0007 and 190–34–0003 refer to Rosemount Aerospace Service Bulletin 2015G2H2H–34–04, Revision 1, dated April 6, 2005, as an additional source of service information for accomplishing the required actions.

**Note 3:** For the purposes of this AD, a detailed inspection is: ''An intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirror, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required.''

**Alternative Methods of Compliance (AMOCs)**

(h)(1) The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

**Related Information**

(i) Brazilian airworthiness directives 2006–05–05, effective June 14, 2006, and 2006–05–08, effective June 19, 2006, also address the subject of this AD.

**Material Incorporated by Reference**

(j) You must use EMBRAER Service Bulletin 170–34–0007, dated April 28, 2005; or EMBRAER Service Bulletin 190–34–0003, dated December 2, 2005; as applicable; to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil, for a copy of this service information. You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on February 16, 2007.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7–3363 Filed 2–28–07; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

**[Docket No. FAA–2006–25942; Airspace Docket No. 06–ACE–12]**

## Modification of Class E Airspace; Thedford, NE

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Thedford, NE.

**DATES:** *Effective Date:* 0901 UTC, May 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; *telephone:* (816) 329–2522.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on January 11, 2007 (72 FR 1278). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on May 10, 2007. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Fort Worth, Texas on February 16, 2007.

**Walter Tweedy,**

*Manager, System Support Group, ATO Central Service Area.*

[FR Doc. 07–903 Filed 2–28–07; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

**[Docket No. FAA–2006–25943; Airspace Docket No. 06–ACE–13]**

## Modification of Class E Airspace; Phillipsburg, KS

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Phillipsburg, KS.

**DATES:** *Effective Date:* 0901 UTC, May 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; *telephone:* (816) 329–2522.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on January 18, 2007 (72 FR 2181). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on May 10, 2007. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Forth Worth, Texas on February 16, 2007.

**Walter Tweedy,**

*Manager, System Support Group, ATO Central Service Area.*

[FR Doc. 07–902 Filed 2–28–07; 8:45 am]

**BILLING CODE 4910–13–M**

## SOCIAL SECURITY ADMINISTRATION

## 20 CFR Parts 404 and 416

**[Docket No. SSA–2006–0085]**

**RIN 0960–AG05**

## Optometrists as ''Acceptable Medical Sources'' To Establish a Medically Determinable Impairment

**AGENCY:** Social Security Administration.

**ACTION:** Final rules.

**SUMMARY:** We are revising the Social Security and Supplemental Security Income (SSI) disability regulations regarding sources of evidence for establishing a medically determinable impairment under titles II and XVI of the Social Security Act (the Act). The revised regulations expand the situations in which we consider licensed optometrists to be ''acceptable medical sources.''

**DATES:** These rules are effective April 2, 2007.

**FOR FURTHER INFORMATION CONTACT:** Art Spencer, Director, Office of Disability Evaluation Policy, Social Security Administration, 4465 Annex Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 966–5766 or TTY (410) 966–5609. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213, or TTY 1–800–325–0778, or visit our Internet Web site, Social Security Online, at *http://www.socialsecurity.gov.*

**SUPPLEMENTARY INFORMATION:**

### Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at *http://www.gpoaccess.gov/fr/index.html.*

### What is an ''acceptable medical source?''

Our rules provide that you must show that you have a medically determinable impairment with evidence from an ''acceptable medical source.'' An ''acceptable medical source'' is an individual who has the training and expertise to provide us with the signs and laboratory findings based on medically acceptable clinical and laboratory diagnostic techniques that establish a medically determinable physical or mental impairment. Our regulations identify professionals whom we consider to be ''acceptable medical sources.'' (See §§ 404.1513(a) and 416.913(a).) In our prior rules, these sections provided that a licensed optometrist was an ''acceptable medical source,'' but only for the measurement of visual acuity and visual fields. They further indicated that, for claims under title II, we might need a report from a physician to determine other aspects of eye diseases.

Our rules in §§ 404.1513(d) and 416.913(d) provide that, once we have established that you have a medically determinable impairment, we consider all other relevant evidence from other medical and non-medical sources, including your own statements, to determine its severity and how it affects you.

### Why are we changing our rules?

In the early 1990s, we discussed expanding the role of optometrists as ''acceptable medical sources'' with the American Optometric Association (AOA). However, because licensing requirements and scope of practice varied considerably among jurisdictions at that time, we found that it was not feasible for us to revise our policy.

More recently, we again met with representatives of the AOA and obtained information about the education, qualifications, and State scope-of-practice requirements related to optometrists. Based on our review of accreditation and practice requirements, we have determined that, with the exception of the U.S. Virgin Islands, the licensing requirements, scope of treatment, and diagnostic protocols for licensed optometrists are sufficient to qualify all licensed optometrists as ''acceptable medical sources'' for visual disorders. Therefore, it is now appropriate to revise our regulations to authorize licensed optometrists to be ''acceptable medical sources'' for visual disorders in all jurisdictions but the U.S. Virgin Islands.[1]

The revised regulations expand the situations in which we consider licensed optometrists to be ''acceptable medical sources.'' These revised regulations will allow us to make more decisions based on medical evidence supplied to us solely from optometrists, rather than having to purchase time-consuming and expensive consultative examinations with ophthalmologists. Therefore, these regulations will help some individuals with visual disorders qualify for benefits more quickly.

[1] The U.S. Virgin Islands does not allow optometrists to administer or prescribe pharmaceuticals, including topical application of pharmaceuticals for diagnostic or treatment purposes. Because a complete evaluation of the eye includes the use of diagnostic pharmaceuticals, optometrists in the U.S. Virgin Islands are not qualified to perform a complete evaluation of the eye.