

advance filing does not violate this subpart or the principles of ethical conduct contained in § 2635.101(b).

*Example 1 to paragraph (c):* An employee of the Federal Labor Relations Authority who is a public filer began negotiating for future employment with a law firm. At the time he began negotiating for future employment with the law firm, he was not participating personally and substantially in a particular matter that, to his knowledge, had a direct and predictable effect on the financial interest of the law firm. Although the employee was not required to file a recusal statement because he did not have a conflict of interest or appearance of a conflict of interest with the law firm identified in the notification statement, the Office of Government Ethics encourages the employee to submit a notification of recusal at the same time that he files the notification statement regarding the negotiations for future employment in order to ensure that the requirement of paragraph (b) of this section is satisfied if a conflict of interest or an appearance of a conflict of interest later arises. The agency ethics official should counsel the employee on applicable requirements but is under no obligation to notify the employee's supervisor that the employee is negotiating for employment.

*Example 2 to paragraph (c):* An employee of the General Services Administration is contacted by a prospective employer regarding scheduling an interview for the following week to begin discussing the possibility of future employment. The employee discusses the matter with the ethics official and chooses to file a notification and recusal statement prior to the interview. The notification and recusal statement contain the identity of the prospective employer and an estimated date of when the interview will occur. The employee has complied with the notification requirement of section 17 of the STOCK Act.

(d) *Agreement of future employment or compensation* for the purposes of § 2635.607 means any arrangement concerning employment that will commence after the termination of Government service. The term also means any arrangement to compensate in exchange for services that will commence after the termination of Government service. The term includes, among other things, an arrangement to compensate for teaching, speaking, or writing that will commence after the termination of Government service.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 25, 121, and 129

[Docket No.: FAA-2014-0500; Amdt. Nos. 25-143, 121-375, and 129-52]

RIN 2120-AK30

#### Fuel Tank Vent Fire Protection; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting a final rule published in the **Federal Register** on June 24, 2016 (81 FR 41200). In that final rule, the FAA amended certain airworthiness regulations for transport category airplanes to require fuel tank designs that prevent a fuel tank explosion caused by the propagation of flames, from external fires, through the fuel tank vents. The final rule requires a delay of two minutes and thirty seconds between exposure of external fuel tank vents to ignition sources and explosions caused by propagation of flames into the fuel tank, thus increasing the time available for passenger evacuation and emergency response. The amendments apply to applications for new type certificates and certain applications for amended or supplemental type certificates. The amendments also require certain airplanes produced in the future and operated by air carriers to meet the new standards.

However, in that document, the amendment numbers for the final rules were incorrect, and an airplane model number in a footnote was incorrect. This document now posts the correct amendment numbers and airplane model number in the footnote.

**DATES:** This correction is effective on July 26, 2016.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Mike Dostert, Propulsion and Mechanical Systems Branch, ANM-112, Transport Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 1601 Lind Ave. SW., Renton, WA 98057-3356; telephone (425) 227-2132; facsimile (425) 227 1149; email [Mike.Dostert@faa.gov](mailto:Mike.Dostert@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 24, 2016, the FAA published a final rule titled, "Fuel Tank Vent Fire Protection" in the **Federal Register** (81 FR 41200).

The intent of that rule is to prevent fuel tank explosions caused by ignition from external ignition sources of fuel vapor either contained in vapor spaces<sup>1</sup> or exiting from vapor spaces through the fuel tank vent outlets. Potential external ignition sources include, but are not limited to, ground handling equipment, fuel fires that result from refueling spills, or ground fires that follow a survivable crash landing in which the fuel tank and the vent system remain intact. Means to prevent or delay the propagation of flame<sup>2</sup> from external sources into the fuel tank through the fuel tank vent system<sup>3</sup> would also prevent or delay fuel tank explosions following certain accidents. These means include flame arrestors or fuel tank inerting. This prevention or delay would provide additional time for the safe evacuation of passengers from the airplane and for emergency personnel to provide assistance.

The rule applies to applications for new type certificates and applications for amended or supplemental type certificates on significant product-level change projects in which title 14, Code of Federal Regulations (14 CFR) 25.975, "Fuel tank vents and carburetor vapor vents," is applicable to a changed area. Additionally, a new operating requirement in both 14 CFR part 121, "Operating Requirements: Domestic, Flag, and Supplemental Operations," and 14 CFR part 129, "Operations: Foreign Air Carriers and Foreign Operators of U.S.-Registered Aircraft Engaged in Common Carriage," applies to airplanes that are issued an original airworthiness certificate after a specified date.

However, the rule published with incorrect amendment numbers, "25-142, 21-376, and 129-53." Amendment number 25-142 is the same amendment number as the rule titled "Harmonization of Airworthiness Standards—Fire Extinguishers and Class B and F Cargo Compartments," which published in the **Federal Register** on February 16, 2016 (81 FR 7698). Amendment numbers 21-376 and 129-53 are incorrect designations. The correct amendment numbers for this rule are "25-143, 121-375, and 129-52."

<sup>1</sup> A vapor space is any portion of the airplane fuel tanks and the fuel tank vent system that, if such tanks and system held any fuel, could contain fuel vapor.

<sup>2</sup> Flame propagation is the spread of a flame in a combustible environment outward from the point at which the combustion started.

<sup>3</sup> A fuel tank vent system is a system that ventilates fuel vapor from the airplane fuel tanks to the atmosphere. A fuel tank vent system ensures that the air and fuel pressure within the fuel tank stay within structural limits required by § 25.975(a).

In the same publication on page 41203 in footnote number 14, the Lockheed airplane model number referenced is "328." The correct number should be "382."

#### Correction

In FR Doc. 2016-14454, beginning on page 41200 in the **Federal Register** of June 24, 2016, make the following corrections:

#### Correction

1. On page 41200, in the second column, correct the 4th header paragraph to read as follows:

"[Docket No.: FAA-2014-0500; Amdt. Nos. 25-143, 121-375, and 129-52]."

2. On page 41203, in the second column, correct the text of footnote number 14 to read as follows:

"The previously approved Lockheed 382 and Embraer flame arrestors would not have met the 2 minute and 30 second requirement."

Issued under authority provided by 49 U.S.C. 106(f) and 44701(a) in Washington, DC, on July 19, 2016.

**Lirio Liu,**

*Director, Office of Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 91, 121, 125, 129, and 135

[Docket No. FAA-2011-1082]

#### Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)

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

**ACTION:** Final policy statement.

**SUMMARY:** This action sets forth the Very High Frequency (VHF) Omnidirectional Range (VOR) Minimum Operational Network (MON) policy as proposed in the Proposed Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) notice of proposed policy published on December 15, 2011 (76 FR 77939). This document provides the discontinuance selection criteria and candidate list of VOR Navigational Aids (NAVAIDs) targeted for discontinuance as part of the VOR MON Implementation Program and United States (U.S.) National Airspace System

(NAS) Efficient Streamline Services Initiative. Additionally, this policy addresses the regulatory processes the FAA plans to follow to discontinue VORs.

**DATES:** Effective July 26, 2016.

**FOR FURTHER INFORMATION CONTACT:** Ms. Leonixa Salcedo, VOR MON Program Manager, AJM-324, Navigation Programs, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; email: [vormon@faa.gov](mailto:vormon@faa.gov); telephone: (844) 4VORMON (844-486-7666).

#### SUPPLEMENTARY INFORMATION:

#### Background

On December 15, 2011 the FAA published in the **Federal Register** a notice of proposed policy and request for comments (76 FR 77939) on the FAA's proposed strategy for gradually reducing the current VOR network to a Minimum Operational Network (MON) as the NAS transitions to performance-based navigation (PBN) as part of the Next Generation Air Transportation System (NextGen). The FAA announced that, as part of a NAS Efficient Streamlined Services Initiative, the number of conventional NAVAIDs would be reduced while more efficient Area Navigation (RNAV) routes and procedures are implemented throughout the NAS. The FAA noted its intention to convene a working group to assist in developing a candidate list of VORs for discontinuance using relevant operational, safety, cost, and economic criteria. Interested parties were invited to participate in the review of this policy and planning effort by submitting written comments on the proposal.

The FAA reviewed all 330 comments received and on August 21, 2012, published in the **Federal Register** the disposition of the comments on the notice of proposed policy (77 FR 50420). In considering and disposing of the comments, the FAA noted that it would develop an initial VOR MON Plan which would be made publicly available. The FAA renewed its intention to convene a working group that would assist in developing objective criteria which would be applied consistently nationally and regionally to help identify those VOR facilities that would remain operational.

#### Criteria for Assessing VOR Discontinuance

After the FAA published the disposition of comments, stakeholders, industry, and military services provided further inputs to the FAA for consideration in developing the criteria used to select VORs that would need to

be retained as a part of the MON. The FAA also sought recommendations from aviation industry stakeholders through the RTCA Tactical Operations Committee (TOC). With this collective input, the FAA developed the criteria to determine which VORs would be candidates for retention. VORs not meeting these criteria were considered as discontinuance candidates.

The following criteria were used by the FAA to determine which VORs would be retained as a part of the MON:

- Retain VORs to perform Instrument Landing System (ILS), Localizer (LOC), or VOR approaches supporting MON airports at suitable destinations within 100 NM of any location within the CONUS. Selected approaches would not require Automatic Direction Finder (ADF), Distance Measuring Equipment (DME), Radar, or GPS.
- Retain VORs to support international oceanic arrival routes.
- Retain VORs to provide coverage at and above 5,000 ft AGL.
- Retain most VORs in the Western U.S. Mountainous Area (WUSMA), specifically those anchoring Victor airways through high elevation terrain.
- Retain VORs required for military use.
- VORs outside of the CONUS were not considered for discontinuance under the VOR MON Implementation Program.

The following considerations were used to supplement the VOR MON criteria above:

- Only FAA owned/operated VORs were considered for discontinuance.
- Co-located DME and Tactical Air Navigation (TACAN) systems will generally be retained when the VOR service is terminated.
- Co-located communication services relocated or reconfigured to continue transmitting their services.

#### Working Group

Using the established criteria, the FAA convened an internal working group to develop a candidate list of VORs using the VOR MON criteria relevant to operational, safety, cost, and economic considerations. The group developed the VOR MON service by first selecting MON airports that met the criteria listed above. Airports with ILS approaches that met the criteria were selected in preference to VOR approaches. If two airports in close proximity had suitable approaches, then the airport whose ILS or VOR approach required the FAA to retain the fewest number of VORs (*i.e.*, to identify initial,