

APPENDIX D—STEP-BY-STEP PROCEDURE FOR CLOSING OUT TELEPHONE CONSTRUCTION CONTRACT LABOR AND MATERIALS, REA FORM 515—Continued

Step No.	Sequence		By	Procedure
	When			
10.	During inspection.....		Borrower's Engineer.....	Marks inspected areas on the Key Map, if available, otherwise on the Detail Maps.
11.	Upon completion of inspection.....		Borrower's Engineer.....	Prepares or obtains all the closeout documents listed in Appendix C. Makes distribution of the copies of the documents as indicated in Appendix C.
12.	After reviewing final documents.....		REA GFR.....	Forwards the documents for REA to the GFR.
13.	After signing final inventory.....		Borrower.....	Reviews documents and distributes copies as indicated in Appendix C. Prepares and submits Financial Requirement Statement, REA Form 481, requesting amount necessary to make final payment due under contract.
14.	On receipt of final advance.....		Borrower.....	Promptly forwards check for final payment to contractor.
15.	During next loan fund audit review after final payment to contractor.		REA Field accountant.....	Makes an examination of borrowers construction records for (1) compliance with the construction contract and Subpart D and (2) REA Form 281, Tabulation of Materials Furnished by Borrowers, if any, for appropriate costs.

Part 1765—Appendix E [Reserved]

APPENDIX F—DOCUMENTS REQUIRED TO CLOSEOUT SPECIAL EQUIPMENT CONTRACTS

Form furnished by REA	Description	No. of Copies		Prepared By				Distribution		
		Form 397	Form 398	Form 397		Form 398		Borrower	Contractor	REA
				Contractor	Engineer	Contractor	Engineer			
238	Construction or Equipment Contract Amendment (If required, submit to REA for approval before other closeout documents.).	3	3		x		x			3
396	Certificate of Completion—Special Equipment Contract (Including Installation).	3			x		x	1	1	1
396a	Certificate of Completion—Special Equipment Contract (Not Including Installation).		3	x			x	1	1	1
744	Certificate of Contractor and Indemnity Agreement.	2		x				1		1
213	Certificate (Buy American).....	1	1	x		x		1		
	Report in writing, including all measurements and other information required under Part II of the applicable specifications.	2	2	x			x	1		1
	Set of maintenance recommendations for all equipment furnished under the contract.	1	1	x		x		1		

Dated: August 11, 1989.

Blaine D. Stockton, Jr.,

Administrator.

[FR Doc. 89-22282 Filed 9-22-89; 8:45 am]

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DEPARTMENT OF AGRICULTURE**Rural Electrification Administration****7 CFR Part 1765**

RIN 0572-AA31

Telephone Materials, Equipment, and Construction—Telephone Program**AGENCY:** Rural Electrification Administration, USDA.**ACTION:** Proposed rule.

SUMMARY: The Rural Electrification Administration proposes to add subpart E—Outside Plant Major Construction by Force Account, subpart G—Minor Construction, and subpart H—Construction of Certification Program to 7 CFR chapter XVII, part 1765, Telephone Materials, Equipment, and Construction—Telephone Program. These new subparts consolidate, revise, and clarify policies, requirements, and procedures presently contained in various REA publications.

Part 1765 sets forth the provisions and requirements of the RE Act and the REA administrative policies, requirements, and procedures for the procurement of materials and equipment and the construction of telecommunication facilities by REA telephone borrowers with REA loan funds. The primary objectives of these new subparts are to update, consolidate, clarify, and simplify REA policies and procedures; to lessen the burden on borrowers involved in planning and construction of telecommunication facilities; and to decrease the processing time of related documents by REA.

All borrowers that are parties to the planning and construction of borrowers' telecommunication facilities and systems will be affected by this rule.

DATE: Public comments concerning this proposed rule must be received by REA no later than November 24, 1989.

ADDRESS: Comments may be mailed to William F. Albrecht, Director, Telecommunications Staff Division, Rural Electrification Administration, Room 2835 South Building, U.S. Department of Agriculture, Washington, DC 20250-1500. Comments received may be inspected in Room 2835 between 8:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: William F. Albrecht, Director, Telecommunications Staff Division, Rural Electrification Administration, Room 2835 South Building, U.S. Department of Agriculture, Washington, DC 20250-1500, telephone number (202) 382-8663.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed in accordance with Executive Order 12291, Federal Regulation. This action will not (1) have an annual effect on the economy of \$100 million or more; (2) result in a major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions; or (3) result in significant adverse effects on competition, employment, investment or productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets and, therefore, has been determined to be "not major."

This action does not fall within the scope of the Regulatory Flexibility Act. REA has concluded that promulgation of this rule would not represent a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.* (1976)) and, therefore, does not require an environmental impact statement or an environmental assessment.

The reporting and recordkeeping provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3507 *et seq.*) contained in this rule have been approved by the Office of Management and Budget (OMB) under clearance number 0572-0062.

Public reporting burden for this collection of information is estimated to average 0.9 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB 0572-0062), Washington, DC 20503.

This program is listed in the catalog of Federal Domestic Assistance under No. 10.851, Rural Telephone Loans and Loan Guarantees, and 10.852, Rural Telephone Bank Loans. For the reasons set forth in the final rule related Notice to 7 CFR 3015, Subpart V (50 FR 47034, November 14, 1985), this program is excluded from the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

Background:

Currently, the policies and requirements for construction of major outside plant facilities by the force account method, construction by work order and administration of construction certification programs by REA telephone borrowers with REA loan funds are contained in numerous REA publications including the following existing REA Bulletins:

- 320-23 Construction Certification Procedures for Designated Telephone Borrowers.
- 381-7 Methods of Construction of Telephone Borrowers' Initial System Outside Plant Facilities.
- 382-1 Force Account Construction, Telephone Borrowers' Initial Systems.
- 382-2 Construction of Telephone System Improvements and Extensions by Work Order or Contract.
- 382-3 Final Inventory Documents, Force Account Construction, Telephone Borrowers' Initial System.

Many of these are outdated and contain conflicting information. It is necessary to consolidate the information and make it available to the public by publishing it in the *Federal Register*.

The Bulletins listed above contain certain policies, requirements, and procedures that will be incorporated into other CFR parts. When that is accomplished, these Bulletins will be rescinded.

Presently construction is classified as "initial system" or "improvements and extensions." These classifications have not been well defined and cause controversy as to the method of construction to be used. The proposed rule classifies construction as "major" or "minor" depending on the estimated cost of the construction project, major being over \$100,000 and minor being \$100,000 or less, labor and materials.

The policies, requirements, and procedures for outside plant major construction by the force account method (borrower providing all labor and materials) are set forth in proposed subpart E. Outside Plant Major Construction by Force Account. The basic policies are (1) REA approval is required to use the force account method of construction, (2) REA will not approve the force account method for first time borrowers, except in very unusual cases. (3) Force Account Proposals (FAP) are subject to REA review and approval and (4) REA will provide loan funds only up to the amount determined by the completed assembly units priced at the unit costs in the approved FAP. The subpart also sets forth the requirements for the request to use the force account method,

the qualifications the construction supervisor must meet and the procedures to be followed for the construction and closeout of the FAP.

The policies, requirements and procedures for minor construction are set forth in proposed Subpart G, Minor Construction. The basic policies are (1) minor construction may be performed by contract or by work order (borrower providing all labor and materials), (2) minor construction activities will be administered under the borrower's regular work order procedure, (3) the completed construction shall be inspected and certified by an experienced licensed telephone engineer or the borrower's staff engineer approved by REA as the "employee in charge" of force account engineering for all borrowers with 2,000 or more subscribers, and (4) REA will fund minor construction work projects only within one year of the construction completion date.

The policies, requirements and procedures for the construction certification program are set forth in proposed Subpart H, Construction Certification Program. The basic policies are (1) certain borrowers will be nominated by REA during the loan processing period to participate in the construction certification program, (2) borrowers who accept will fulfill the responsibilities for administration and construction of projects financed by REA loans or loan guarantees, such as, approval of engineering and architectural contracts, approval of P&S (plans and specifications), approval of price quotations and bids, approval of construction contracts and amendments, approval of FAP's (following REA approval of the force account method), inspection and certification of construction, approval of closeout documents and other responsibilities as may be specifically granted in writing by REA, and (3) REA will retain all other responsibilities; such as, approval to deviate from REA requirements, except as provided in (2) above, approval of construction projects or amounts not included in the loan, approval of force account methods of engineering and construction, approval to make significant deviations from an approved work plan, approval of interim construction, approval to use materials not listed in the List of Materials Acceptable for Use on Telephone Systems of REA Borrowers, approval of field trials, approval to modify or alter standard forms and contracts, approval to open bids when fewer than the required number have been received, approval of outside plant layouts. "Buy

American" determinations and other responsibilities not specifically transferred in writing by REA. Borrowers accepting the construction certification program must appoint (1) a "Certifying Officer" to execute binding agreements, (2) a "Construction Certifier" to certify that the construction complies with all technical and code requirements, and (3) a "Certification Coordinator" to administer the certification program and serve as the official point of contact for REA. The construction certifier must be an experienced licensed telephone engineer or the borrower's staff engineer approved by REA as the "employee in charge" of force account engineering. The certifying officer or construction certifier may also serve as the certification coordinator.

This proposed rule eliminates some reporting requirements and streamlines others, reducing the borrowers' burden, while permitting REA to maintain the security of the Government's loans.

These subparts supersede any sections of REA Bulletins with which they are in conflict.

List of Subjects in 7 CFR Part 1765

Loan programs—communications, Telecommunications, Telephone.

Therefore, REA proposes to amend 7 CFR chapter XVII as follows:

1. The authority citation for part 1765 continues to read as follows:

Authority: 7 U.S.C. 901 *et seq.*, 7 U.S.C. 1921 *et seq.*

2. Subparts E, G, and H, and Appendix E are added to Part 1765 to read as follows:

* * * * *

Subpart E—Outside Plant Major Construction by Force Account

Sec.

1765.46 General.
1765.47 Procedures.
1765.48 Closeout documents.
1765.49–1765.55 [Reserved].

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Subpart G—Minor Construction

1765.66 General.
1765.67 Methods of minor construction.
1765.68 Construction by contract.
1765.69 Construction by force account.
1765.70 Minor construction procedure.
1765.71 Inspection and certification.
1765.72 Minor construction closeout.
1765.73–1765.80 [Reserved].

Subpart H—Construction Certification Program

1765.81 General.
1765.82 Policies and requirements.
1765.83 Responsibilities.
1765.84 Procedures.
1765.85 Advance of loan funds.

1765.86 Certification addendum.
1765.87–1765.99 [Reserved].

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Appendix E—Documents Required to Close Out Force Account Outside Plant Construction

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Subpart E—Outside Plant Major Construction by Force Account

§ 1765.46 General.

(a) This subpart implements and explains the provisions of the loan documents setting forth the requirements and the procedures to be followed by borrowers for outside plant major construction by the force account method with REA loan funds. Terms used in this subpart are defined in § 1765.2 and REA Contract Form 515.

(b) A borrower shall not use the force account method for construction financed with loan funds unless prior REA approval has been obtained.

(c) Generally, REA will not approve the force account method for major outside plant construction for the initial loan to a borrower.

(d) The Force Account Proposals (FAPs) are subject to review and approval by REA.

(e) The FAP is approved by REA on the basis of estimated labor and material costs. The FAP is closed based on the borrower's actual cost of performing the construction. REA will provide loan funds only up to the amount determined by the completed assembly units priced at the unit prices in the approved FAP.

(Approved by the Office of Management and Budget under control number 0572-0062)

§ 1765.47 Procedures.

(a) *The request.* (1) The borrower shall submit to REA a certified copy of the board resolution or a letter signed by an authorized corporate official requesting approval to use the force account method of construction. The request shall state the advantages of the force account method of construction and provide the following information:

(i) The scope of the construction to be undertaken, stating briefly the facilities and equipment to be installed and other pertinent data.

(ii) The name and qualifications of the construction supervisor who will be directly in charge of construction, the names and qualifications of the construction foremen, and the availability of qualified construction personnel. The construction supervisor must have at least 5 years outside plant

construction experience with at least 2 years at the supervisory level on REA financed projects. Construction foremen must have at least 3 years of outside plant construction experience.

(iii) The availability of equipment for construction, exclusive of equipment needed for normal operation and maintenance.

(b) *Force account proposal (FAP)*: Upon receiving REA approval to use the force account method, the borrower, prior to any construction activity or the purchase of materials or equipment shall submit to REA two copies of its FAP. The FAP shall consist of:

(1) The REA Contract Form 515 and appropriate supporting attachments that normally would be provided as plans and specifications for contract construction. See § 1765.37

(2) The cost estimate, using Form 515 as a convenient means of showing the following:

(i) The quantity and cost estimates of the various assembly units required. "Labor and other" cost will not include the cost of engineering, legal, and other professional services, interest during construction, preliminary survey and investigation charges, and right-of-way easement procurement costs.

(ii) A list identifying materials or construction for which loan funds will not be requested.

(3) The estimated completion time.

(c) *Storage of Materials*: All materials ordered for the construction shall be stored separate from normal maintenance materials.

(d) *Construction*—(1) *Preconstruction conference*. The borrower shall arrange a conference, attended by the manager, construction supervisor, construction foremen, resident engineer and the GFR prior to the beginning of construction to clarify any questions pertaining to the construction. Notes of the conference shall be provided to each conference participant.

(2) *Construction schedule and progress reports*. The borrower shall obtain from the engineer a construction schedule and submit one copy to the GFR. The schedule shall include the starting date and a statement indicating that materials are either delivered or deliveries are assured to permit construction to proceed in accordance with the construction schedule. The borrower shall obtain from the engineer progress reports and submit one copy of each to the GFR. REA Form 521 may be used for the construction schedule and the progress reports.

(3) *Borrower's management responsibilities*. (i) Obtain all right-of-way easements, permits, etc., prior to construction.

(ii) Maintain records on all expenditures for materials, labor, transportation, and other costs of construction, in order that all costs may be fully accounted for upon completion of the construction.

(iii) Ensure that all the required inspections and tests are made.

(4) *Engineer's responsibilities*. (i) Inspect and inventory construction as completed.

(ii) Require timely corrections and cleanup.

(iii) Perform acceptance tests as construction is completed.

(iv) Provide "as built" staking sheets of completed construction when the final inspections are made.

(v) Maintain accurate and current inventories of completed construction.

(5) *Construction supervisor's responsibilities*. (i) Correct construction errors as construction progresses.

(ii) Maintain an accurate inventory of completed construction.

(iii) Perform cleanup as construction is completed.

(iv) Perform all the inspections and acceptance tests a contractor would be required to make under the construction contract.

(v) Promptly perform cleanup required after final inspection.

§ 1765.48—Closeout documents.

(a) *General*. (1) This section outlines the procedure to be followed in the preparation of closeout documents for the FAP.

(2) The period between the completion of construction and submission of the closeout documents to REA should not exceed 60 days.

(b) *Documents*. The documents required to close the FAP are listed in Appendix E. The following is a brief description of the closeout documents:

(1) *Final Inventory and Certificate of Engineer*. REA Forms 817, 817a, and 817b are prepared by the engineer.

(i) Assembly units inventoried on Form 817a shall be grouped according to the applicable plant account classification as specified in 7 CFR part 1770, Revision and Codification of REA's Accounting System Requirements for Telephone Borrowers of the Rural Electrification Administration.

(ii) On Form 817, the engineer provides a comparison between the final inventory total price (based on assembly prices in the approved FAP) and the actual cost of construction (from the borrower's accounting records).

(iii) The actual costs from the borrower's accounting records are not to include costs for (A) engineering, legal and other professional services, (B)

interest during construction and (C) preliminary survey charges.

(2) *Certificate*. "Buy American," REA Form 213.

(3) *Key Map*, prepared by the engineer, is a permanent record of the general location of the lines and facilities of the borrower's system.

(4) *Detail Maps*, prepared by the engineer, show the details of the outside plant of the telephone system, the location of subscribers and other pertinent operating details.

(5) *Staking Sheets*, prepared by the engineer, show by assembly units the outside plant constructed, and serve as the permanent outside plant record.

(6) *Tabulation of Staking Sheets*, prepared by the engineer, is a summary of the assembly units shown on the staking sheets for preparing the final inventory.

(7) *Treated Forest Products Inspection Reports*, prepared by an REA approved inspection company, certify that wood products furnished for construction meet all requirements of the REA specifications.

(c) *Closeout procedures*. (1) The borrower shall notify the GFR when the project is ready for final inspection.

(2) The GFR shall make the final inspection accompanied by the engineer and the borrower.

(3) The borrower shall correct all deficiencies found during the final inspection.

(4) The borrower may request the assistance of an REA field accountant to review the borrower's record of construction expenditures and assist the borrower with any accounting problems in connection with construction expenditures.

(5) After inspection, the final inventory documents shall be assembled and distributed as indicated on Appendix E. The documents listed for REA are to be submitted to the GFR.

(6) Upon approval of the closeout documents, REA will notify the borrower of approval and of any adjustments to be made in funds advanced in connection with the construction.

(d) The above are not intended to be a complete description of the requirements of the documents relating to REA's closeout procedure. Refer to the documents for additional requirements.

§§ 1765.49–1765.55 (Reserved)

Subpart G—Minor Construction

§ 1765.66 General.

(a) This subpart implements and explains the provisions of the Loan

Documents (as defined in 7 CFR part 1758) setting forth the requirements and procedures to be followed by borrowers for minor construction of telecommunications facilities using REA loan funds. Terms used in this subpart are defined in § 1765.2.

(Approved by the Office of Management and Budget under control number 0572-0062)

§ 1765.67 Methods of minor construction.

Minor construction may be performed by contract using REA Contract Form 773, "Miscellaneous Construction Work and Maintenance Services", or by work order construction.

§ 1765.68 Construction by contract.

(a) REA Form 773 is used for minor construction by contract. Compensation may be based upon unit prices, hourly rates or another mutually agreeable basis. Each contractor shall have only one contract per project. A single work project may require more than one contractor.

(b) The borrower shall prepare the contract form and attach any diagrams, sketches and tabulations necessary to specify clearly the work to be performed and who shall provide which materials. Neither the selection of the contractor nor the contract requires REA approval.

(c) Borrowers are urged to obtain quotations from several contractors before entering into a contract to be assured of obtaining the lowest cost. The borrower must ensure that the contractor selected meets all Federal and State licensing and bonding requirements, and that the contractor maintains the insurance coverage required by the contract for the duration of the work. (See 7 CFR part 1788)

(d) Upon completion and final inspection of the construction the borrower shall obtain from the Contractor a final invoice and an executed copy of REA Form 743, Certificate of Contractor and Indemnity Agreement.

(e) REA Contract Form 773 may also be used to contract for the maintenance and repair of telephone equipment and facilities. Generally, REA will not finance maintenance and repair contracts.

§ 1765.69 Construction by force account.

The borrower shall require that:

(a) Minor construction by the force account method be supervised by a competent foreman. The work shall be performed in accordance with all regulatory and safety codes.

(b) Daily time and material reports, referenced by the work project number, shall be kept to record labor and

materials used as construction is performed.

(c) The construction foreman shall maintain a tabulation of all construction units installed.

§ 1765.70 Minor construction procedure.

(a) If the borrower performs construction financed with loan funds, the borrower's regular work order procedure shall be used to administer minor construction activities that may be performed entirely by a contractor under Form 773 Contract, by work order, or jointly by work order and one or more contractors under Form 773 contracts. The maximum amount of \$100,000 for a single minor construction project includes all Form 773 contracts and work order charges relating to that project.

(b) REA approval must be obtained in advance for minor construction unless all of the following conditions are met:

(1) REA has approved the engineering design.

(2) All standard REA procedures are followed, including use of new materials listed in the List of Materials for Use on Telephone Systems of REA Borrowers (Bul. 344-2) and the application of REA construction practices. (See § 1765.6)

(3) The Standard Form 773 contract is used without modification.

(c) The borrower shall determine the scope of each proposed construction project and decide how it will be constructed. A work project number shall be assigned to which all charges for that project are referenced.

(d) The borrower shall maintain accounting and plant records sufficient to document the cost and location of all construction and to support loan fund advances and disbursements.

(e) Normally the borrower will finance minor construction with general funds and obtain reimbursement with loan funds when construction is completed and executed Form 771 has been submitted to REA. If a borrower satisfies REA of its inability to finance the construction temporarily with general funds, REA may establish, on a case by case basis, a work order fund for specific construction projects. The work order fund will be closed upon receipt of an FRS and the executed Form 771 for the specific projects for which the work order fund was established.

(f) REA will advance funds to finance minor construction work projects only if all necessary documents, including an FRS and supporting data covering the project, are received within one year of the date construction of the project is completed.

§ 1765.71 Inspection and certification.

(a) Upon completion and prior to closeout, minor construction must be inspected and certified to be in compliance with REA construction standards, to be reasonable in cost, and to meet applicable codes. The certification is made by an experienced telephone engineer who is either licensed in the state where the inspection will be performed, or is a borrower's staff engineer, who meets the requirements of the "employee in charge" of force account engineering as described in 7 CFR part 1763. The GFR will periodically audit the inspection of minor construction to ensure integrity of the procedure. REA borrowers with less than 2000 subscribers may use the above procedure or have construction inspection performed by the GFR.

(b) Engineering services for minor construction may be contracted using REA Form 245, Engineering Service Contract—Special Services. Costs for these services may be included in the costs for construction on the Form 771. (See 7 CFR part 1763)

(c) Upon completion of construction, the borrower shall obtain the engineer's certification on REA Form 771. An official of the borrower, designated by the board of directors, shall also execute the borrower's certification on Form 771.

§ 1765.72 Minor construction closeout.

(a) For minor construction inspected by the borrower's engineer, an original and two copies of Form 771 shall be sent to the GFR. The GFR will initial and return the original and one copy.

(b) When funds are requested for minor construction, the original Form 771 signed or initialed by the GFR, shall be submitted with the FRS. Forms 771 should be submitted only with the FRS which they support. REA does not encumber funds pursuant to Forms 771 unless an advance is made to the borrower. (See 7 CFR part 1754).

§ 1765.73—1765.80 [Reserved]

Subpart H—Construction Certification Program

§ 1765.81 General.

This subpart implements and explains the provisions of the loan documents setting forth the requirements and procedures to be followed by borrowers accepting nomination for the construction certification program. Terms used in this subpart are defined in § 1765.2.

(Approved by the Office of Management and Budget under control number 0572-0062)

§ 1765.82 Policies and requirements.

(a) It is REA policy that, as borrowers gain in experience and maturity, the advice and assistance rendered by REA shall progressively diminish. Prior to approval of a loan, REA may nominate certain borrowers to fulfill the responsibilities for administration and construction of projects financed with REA loans. Borrowers who accept this nomination will be known as "certification borrowers," and the program in which they participate will be known as the "certification program."

(b) Generally, initial loan borrowers are not eligible for the certification program.

(c) Generally, the factors which REA will consider in selecting borrowers for the certification program will include:

(1) The experience of the staff of the borrower.

(2) The REA assessment of the borrower's ability to handle the certification program requirements considering the size and complexity of the proposed construction in the LD.

(3) The history of the borrower in following REA's policies and procedures.

(4) Other factors deemed relevant by REA.

(d) Except as specifically stated in this subpart, certification borrowers must comply with all requirements applicable to other borrowers.

(e) REA reserves the right at any time to require submission of construction documents or to remove the borrower from the certification program.

§ 1765.83 Responsibilities.

(a) Responsibilities transferred to certification borrowers:

(1) Approval of engineering and architectural service contracts.

(2) Approval of P&S.

(3) Approval of price quotations and bids, except where the low price bid is not accepted.

(4) Approval of award of construction contracts and amendments.

(5) Approval of FAP's if REA has approved the force account method of construction for the construction project.

(6) Inspection and certification of construction.

(7) Approval of closeout documents.

(8) Other responsibilities as may be specifically granted in writing by REA.

(b) Responsibilities retained by REA:

(1) Approval to deviate from REA requirements, except as provided in (a) above.

(2) Approval of use of loan funds for projects other than those included in the loan construction budget. See 7 CFR part 1754.

(3) Approval of use of loan funds in excess of amounts included in the loan budget.

(4) Approval of force account methods of engineering and construction.

(5) Approval to make significant deviations from the work plan approved by REA.

(6) Approval of interim construction.

(7) Approval to use materials not listed in the List of Materials Acceptable for Use on Telephone Systems of REA Borrowers.

(8) Approval of field trials.

(9) Approval to modify or alter standard forms and contracts.

(10) Approval to open bids when fewer than the required number have been received.

(11) Approval of outside plant layouts.

(12) "Buy American" determinations.

(13) Other responsibilities not specifically transferred by this subpart or in writing by REA.

§ 1765.84 Procedures.

(a) Certification borrowers shall appoint three certification officials. These appointments shall be subject to REA approval.

(1) The "Certifying Officer" shall be an officer or employee of the borrower who is authorized to execute binding agreements. This officer shall sign all contracts, amendments, closeout documents and the certification on REA Form 158, Certification of Contract or Force Account Proposal Approval, and REA Form 159, Summary of Completed Construction.

(2) The "Construction Certifier" shall be an experienced telephone engineer who is either licensed in the state where the inspection will be performed, or is a borrower's staff engineer who meets the requirements of the "employee in charge" of force account engineering as described in 7 CFR part 1763. REA may determine that it will accept the certification only for matters within the staff engineer's area of specialization. In such cases the position of "Construction Certifier" shall be filled by more than one engineer.

This official is responsible for certifying that the construction complies with all technical and code requirements.

(3) The "Certification Coordinator" shall administer the certification program and serve as the official point of contact for REA. The certifying officer or construction certifier may also serve as the certification coordinator.

(b) Certification borrowers shall submit and obtain REA approval of a work plan before construction and related engineering begin.

(1) The work plan shall provide a description of the proposed construction and methods of purchasing in such detail as to enable REA to monitor the construction program to ensure to its satisfaction that loan purposes are accomplished in an organized construction program.

(2) The work plan shall include the following:

(i) The names and qualifications of the proposed certification officials defined in § 1765.84(a).

(ii) A listing of the proposed work projects to accomplish the loan purposes showing the estimated cost, method of performing the construction, and the proposed commencement and completion dates for each work project. The proposed work projects shall be summarized on REA Form 157, Construction Work Plan and Cost Distribution, or a form providing essentially the same information.

(iii) The proposed source of funds for meeting cost overruns if the total estimated cost of work projects exceeds the loan budget.

(iv) A statement signed by the borrower's certification officials and the GFR that the work plan is accurate and complete.

(c) Under the certification program, the borrower shall follow all standard REA postloan engineering and construction procedures except that the approvals shown in § 1765.83(a) will be made by certification officials rather than REA. The approvals noted in § 1765.83(a) (1), (4) and (5) will be reported immediately to REA using REA Form 158. Approval of closeouts, § 1765.38(a) (6) and (7), will be reported immediately on REA Form 159.

(d) As the construction program progresses, the certification borrower shall request, by letter, REA approval of any significant changes in work plan schedules and budgets and in certification officials.

§ 1765.85 Advance of loan funds.

Advance of loan funds needed to meet the certification borrower's current financial obligations are to be requested on REA Form 481 for construction and engineering items supported by appropriate REA Forms 158 and 159. For items other than construction or engineering, other supporting data shall be submitted. (See 7 CFR part 1754)

§ 1765.86 Certification addendum.

The certification borrower shall modify standard REA forms of contract for use under the certification program by inserting an executed copy of the

following certification addendum in each copy of the contract.

Certification Addendum

Permission has been obtained by the Owner to proceed with this contract under 7 CFR part 1765 subpart H, pursuant to which the references in the REA construction document requiring approvals and other actions of the REA Administrator will not apply unless REA

gives specific notice in writing to the affected parties that designated approval(s) or action(s) will be required. Certifications by the Contractor of amounts due and certifications of completions of work under the contract are to be construed to be rendered for the purpose of inducing the Rural Electrification Administration or Rural Telephone Bank to advance funds to the Owner to make, or reimburse the Owner for, payments under this contract.

Date _____
 Owner _____
 By _____
 Certifying Officer _____
 Date _____
 Contractor _____
 By _____
 Title _____

§§ 1765.87—1765.99 [Reserved]

Appendix E—Documents Required To Close Out Force Account Outside Plant Construction

Item No.	REA form No.	Description on title of document	Number of copies required and distribution of documents		
			Total No.	Owner	REA
a.	817, 817a, and 817b	Final inventory force account construction and certificate of engineer	3	1	2 (1)
b.	213	Certificate, "Buy American" (if applicable)	2 (2)	1	1
c.	-	Detail Maps	2	1	1
d.	-	Key Map if applicable	2	1	1
e.	-	Staking Sheets	1	1	0
f.	-	Tabulation of Staking Sheets	1	1	0
g.	-	Treated Forest Products Inspection Reports, if applicable	1	1	0

(1)—One copy is returned to borrower by REA.

(2)—Two copies from each supplier.

Dated: August 14, 1989.

Jack Van Mark,

Acting Administrator.

[FR Doc. 89-22283 Filed 9-22-89; 8:45 am]

BILLING CODE 3410-15-M

Federal Register

**Monday
September 25, 1989**

Part III

Department of Transportation

Federal Aviation Administration

14 CFR Part 11, et al.

**Organizational Changes and Delegations
of Authority; Final Rule**

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 11, 13, 15, 21, 43, 45, 61, 63, 65, 67, 73, 77, 91, 93, 109, 121, 125, 127, 129, 133, 135, 137, 139, 141, 145, 150, 153, 169, 171, 183, 185, 189, 191, and 199

[Docket No. 26020; Amdt. Nos. 11-32, 13-19, 15-1, 21-67, 43-32, 45-19, 61-85, 63-28, 65-35, 67-13, 73-5, 77-11, 91-212, 93-58, 109-1, 121-207, 125-13, 127-44, 129-19, 133-11, 135-33, 137-13, 139-16, 141-3, 145-22, 150-2, 153-6, 169-2, 171-15, 183-8, 185-1, 189-2, 191-2, 199-2; SFAR 27-6; SFAR 36-5; SFAR 44-8]

RIN 2120-AD24

Organizational Changes and Delegations of Authority

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts changes to office titles and certain terminology in the regulations that were affected by a recent agencywide reorganization. These changes are being made to reflect delegations of authority that were changed, as well as offices that were renamed or abolished and replaced with new office designations. These changes are necessary to make the regulations consistent with the current agency structure.

EFFECTIVE DATE: October 25, 1989, except the amendments to §§ 91.23, 91.317, and 91.75 which take effect on August 18, 1990.

FOR FURTHER INFORMATION CONTACT: Jean Casciano, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; Telephone (202) 267-9683.

SUPPLEMENTARY INFORMATION

Background

On July 1, 1988, the FAA underwent a far-reaching reorganization that affected both headquarters and regional offices. The most significant change is that certain Regional Divisions and Offices, which formerly reported to the Regional Director, are now under "straight line" authority, meaning that these units within each Regional Office report to the appropriate Associate Administrator (or Chief Counsel) in charge of the function performed by that unit.

Within part 11 of the Federal Aviation Regulations (FAR), various elements of the FAA have been delegated rulemaking authority by the

Administrator. These delegations need to be updated. In addition, throughout the Federal Aviation regulations references are made to offices that have been renamed or are no longer in existence as a result of reorganization.

Title 14 of the Code of Federal Regulations must therefore be amended to reflect the reorganizations and changes that have taken place.

Paperwork Reduction Act

The paperwork requirements in sections being amended by this document have already been approved. There will be no increase or decrease in paperwork requirements as a result of these amendments, since the changes are completely editorial in nature.

Good Cause Justification for Immediate Adoption

This amendment is needed to avoid possible confusion about the FAA reorganization and to hasten the effective implementation of the reorganization.

In view of the need to expedite these changes, and because the amendment is editorial in nature and would impose no additional burden on the public, I find that notice and opportunity for public comment before adopting this amendment is unnecessary.

Federalism Implications

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Conclusion

The FAA has determined that this document involves an amendment that imposes no additional burden on any person. Accordingly, it has been determined that: The action does not involve a major rule under Executive Order 12291; it is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and because it is of editorial nature, no impact is expected to result and a full regulatory evaluation is not required. In addition, the FAA certifies that this amendment 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.

List of Subjects

14 CFR Part 11

Air carriers, Air taxis, Air traffic control, Air transportation, Aircraft, Airmen, Aviation safety, Safety.

14 CFR Part 13

Enforcement procedures, Investigations, Penalties.

14 CFR Part 15

Administrative claims, Air transportation, Aircraft, Airplanes, Airports, Federal Tort Claims Act, Helicopters, Heliports, Rotorcraft

14 CFR Part 21

Air transportation, Aircraft, Aviation safety, Safety.

14 CFR Part 43

Air carriers, Air transportation, Aircraft, Aviation safety, Safety.

14 CFR Part 45

Air Safety, Air transportation, Airplanes, Aviation Safety, Helicopters, Nationality, Rotorcraft, Safety Transportation.

14 CFR Part 61

Airmen, Air transportation, Aircraft, Aircraft pilots, Airmen, Airplanes, Alcohol beverages, Aviation safety, Balloons, Compensation, Drug abuse, Education, Foreign persons, International agreements, Helicopters, Narcotics, Pilots, Rotorcraft, Safety, Students, Teachers, Transportation.

14 CFR Part 63

Air safety, Air transportation, Aircraft, Airmen, Airplanes, Aviation Safety, Drug abuse, Helicopters, Narcotics, Rotorcraft, Safety, Transportation.

14 CFR Part 65

Air safety, Air transportation, Aircraft, Airmen, Aviation safety, Drug abuse, Narcotics, Parachutes, Safety, Transportation.

14 CFR Part 67

Air safety, Air transportation, Airmen, Alcohol and alcoholic beverages, Alcoholism, Aviation safety, Drug abuse, Handicapped, Health records, Medical certification, Medical Records, Medical standards, Narcotics, Safety.

CFR Part 73

Airspace, Airways, Prohibited areas, Restricted areas, Special use airspace.

14 CFR Part 77

Determinations of hazard or no hazard, Obstructions, hazards to air navigation.

14 CFR Part 91

Air carriers, Air traffic control, Air transportation, Aircraft, Aircraft pilots, Airspace, Airports, Airworthiness directives and standards, Alcohol, Aviation safety, Cargo, Liquor, Narcotics, Pilots, Safety, Smoking.

14 CFR Part 93

Special air traffic rules.

14 CFR Part 109

Air safety, Air transportation, Aviation safety, Cargo, Freight forwarders, Safety, Security measures, Shipping.

14 CFR Part 121

Air carriers, Air traffic control, Air transportation, Aircraft, Aircraft pilots, Airmen, Airplanes, Airports, Airspace, Airworthiness directives and standards, Aviation safety, Beverages, Cargo, Chemicals, Children, Common Carriers, Drugs, Flammable materials, Handicapped, Hazardous materials, Hours of work, Infants, Liquor, Mail, Narcotics, Pilots, Safety, Smoking, Transportation.

14 CFR Part 125

Air traffic control, Air transportation, Aircraft, Airmen, Airplanes, Airports, Airspace, Airworthiness, Cargo, Chemicals, Children, Drugs, Flammable materials, Handicapped, Hazardous materials, Hours of work, Infants, Narcotics, Pilots, Smoking.

14 CFR Part 127

Air carrier, Air traffic control, Aircraft, Airmen, Airspace, Airworthiness, Alcohol, Beverages, Cargo, Children, Drugs, Helicopters, Hours of work, Infants, Narcotics, Pilots, Smoking, Weapons.

14 CFR Part 129

Air carrier, Air traffic control, Aircraft, Airports, Airworthiness, Weapons.

14 CFR Part 133

Aircraft, Airworthiness, Drugs, Mail, Narcotics, Pilots.

14 CFR Part 135

Air carriers, Air traffic control, Air taxi, Air transportation, Aircraft, Airmen, Airplanes, Airports, Airspace, Airworthiness, Alcohol, Aviation safety, Baggage, Beverages, Cargo, Chemicals, Drugs, Handicapped, Hazardous materials, Helicopters, Hours of work,

Mail, Narcotics, Pilots, Safety, Smoking, Transportation, Weapons.

14 CFR Part 137

Air traffic control, Aircraft, Airports, Narcotics, Pilots, Rotorcraft.

14 CFR Part 139

Air carriers, Air safety, Air transportation, Aircraft, Airplanes, Airports, Aviation safety, Charter flights, Helicopters, Heliports, Rotorcraft, Safety, Transportation.

14 CFR Part 141

Air safety, Air transportation, Aircraft pilots, Airmen, Airplanes, Aviation safety, Balloons, Business and industry, Education, Educational facilities, Helicopters, Parachutes, Pilots, Rotorcraft, Safety, Schools, Students, Teachers, Transportation.

14 CFR Part 145

Air carriers, Air transportation, Aircraft, Aviation safety, Safety.

14 CFR Part 150

Airports, Noise control.

14 CFR Part 153

Air safety, Air transportation, Airports, Aviation safety, Heliports, Safety, Transportation.

14 CFR Part 169

Air safety, Air transportation, Airports, Aviation safety, Safety, Transportation.

14 CFR Part 171

Facilities, Non-Federal navigation.

14 CFR Part 183

Air safety, Air transportation, Aircraft, Airmen, Aviation safety, Safety, Transportation.

14 CFR Part 185

Employment.

14 CFR Part 189

Telecommunications.

14 CFR Part 191

Air carriers, Air safety, Air transportation, Airports, Aviation safety, Safety, Security measures.

14 CFR Part 199

Aircraft, Loan Guarantee Program.

The Rule

In consideration of the foregoing the Federal Aviation Administration amends the Federal Aviation Regulations (14 CFR chapter I) as follows:

PART 11—GENERAL RULE-MAKING PROCEDURES

1. The authority citation for part 11 continues to read as follows:

Authority: 49 U.S.C. 1431(a), 1343(d), 1348, 1354(a), 1401 through 1405, 1421 through 1431, 1481, and 1502; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

2. Section 10(d)(3) of SFAR No. 27-5 is amended by revising paragraph (iii), by removing paragraphs (ix) and (xi), by redesignating paragraphs (x) and (xii)-(xiv) as paragraphs (ix)-(xii), and by revising newly redesignated paragraphs (ix) through (xii) to read as follows:

Special Federal Aviation Regulation No. 27-5—Fuel Venting and Exhaust Emission Requirements for Turbine Engine Powered Airplanes

* * * * *

Sec. 10 Incorporation by reference.

* * * * *

(d) ***

(3) ***

(iii) Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210, Atlanta, GA 30349.

* * * * *

(ix) Anchorage Aircraft Certification Field Office, 222 W. 7th Avenue, #14, Anchorage, Alaska 99513.

(x) Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, CA 90806.

(xi) Brussels Aircraft Certification Staff, 15 Rue de la Loi, Room B-1040, Brussels, Belgium.

(xii) FAA Representative, Office of U.S. Consulate General, Avenida Presidente Wilson, 147 Rio de Janeiro, Brazil.

* * * * *

§ 11.11 [Amended]

3. Section 11.11 is amended by changing the words "Regional Director" or "Regional Directors" to "Regional Administrator" or "Regional Administrators" respectively wherever they appear, by changing the words "Regional Counsel" to "Assistant Chief Counsel" wherever they appear, and by adding the words "Unless a request for comment indicates otherwise," before the words "A public docket".

§ 11.15 [Amended]

4. Section 11.15 is amended by changing the words "Area Office, air traffic control facility or office, Air Carrier District Office, General Aviation District Office" to "air traffic control facility or office, Flight Standards District Office, Aircraft Certification Directorate, Aircraft Certification Office" and by changing the words "Director or Acting Director or officer in charge of the Region concerned" to

"Regional Administrator or Acting Regional Administrator or officer in charge of the Region concerned".

§ 11.25 [Amended]

5. Section 11.25(b)(iv) is amended by changing "(AGC-204)" to "(AGC-10)".

§ 11.41 [Amended]

6. Section 11.41(c) is amended by removing the words "Aeronautical Center and the"; by changing the words "National Aviation Facilities Experimental Center" to "Technical Center"; by changing the words "Regional Directors" to "Regional Administrators"; and by changing the words "A Regional Counsel" to "An Assistant Chief Counsel".

§ 11.49 [Amended]

7. Section 11.49 is amended by changing the words "Chief, Aircraft Programs Division, Office of Flight Operations" in paragraph (b)(2) to "Manager, Technical Programs Division, Flight Standards Service" and by changing the words "Director of Airworthiness" in paragraph (b)(3) to "Director, Aircraft Certification Service".

§ 11.61 [Amended]

8. Section 11.61(d) is amended by changing the words "a Regional Counsel" to "an Assistant Chief Counsel for a region" and by changing the words "or Regional Counsel" to "or Assistant Chief Counsel".

9. Sections 11.81 (b), (c), and (d) are revised to read as follows:

§ 11.81 [Amended]

(b) For the purposes of this subpart, "Director" means the Director, Aircraft Certification Service, or a Manager of an Aircraft Certification Directorate (Directorate Manager).

(c) The authority for issuing Airworthiness Directives is limited to the following persons:

(1) The Director, Aircraft Certification Service; and

(2) Managers of the Aircraft Certification Directorates for products under the authority of those directorates, as determined by the Administrator.

(d) For the purposes of this subpart, "Chief Counsel" means the Chief Counsel or an Assistant Chief Counsel for a region or directorate, or the Assistant Chief Counsel for Regulations and Enforcement, or any person to whom the Chief Counsel or Assistant Chief Counsel for a region has delegated his authority in the matter concerned.

PART 13—INVESTIGATIVE AND ENFORCEMENT PROCEDURES

10. The authority citation for part 13 continues to read as follows:

Authority: 49 U.S.C. 1354 (a) and (c), 1374(d), 1401-1406, 1421-1428, 1471, 1475, 1481, 1482 (a), (b), and (c), and 1484 through 1489 (Federal Aviation Act of 1958) (as amended, 49 U.S.C. App. 1475, Airport and Airway Safety and Capacity Expansion Act of 1987); 49 U.S.C. App. 1655(c) (Department of Transportation Act) (Revised, 49 U.S.C. 106(g)); 49 U.S.C. 1808, 1809, and 1810 (Hazardous Materials Transportation Act); 49 U.S.C. 1727 and 1730 (Airport and Airway Development Act of 1970); 49 U.S.C. 2218 and 2219 (Airport and Airway Improvement Act of 1982); 49 U.S.C. 2201 (as amended, 49 U.S.C. App. 2218, Airport and Airway Safety and Capacity Expansion Act of 1987); 18 U.S.C. 6002 and 6004 (Organized Crime Control Act of 1970); 49 CFR 1.47 (f), (k), and (q) (Regulations of the Office of the Secretary of Transportation).

§ 13.3 [Amended]

11. Section 13.3 is amended in paragraph (b) by removing the words "(except under Title V of that Act)", inserting the word "and" before "each Assistant Chief Counsel", by removing the words ", and each Regional Counsel", and by removing the last sentence; and in paragraph (c) by removing the words "each Regional Counsel," by inserting the word "and" before "each Assistant Chief Counsel", and by removing the words "and the Aeronautical Center Counsel".

§ 13.5 [Amended]

12. Section 13.5(b) (2) and (k) are amended by changing "(AGC-209)" to "(AGC-10)".

§ 13.17 [Amended]

13. Section 13.17 is amended by changing the words "Regional Director" to "Regional Administrator" wherever they appear and by changing the words "Regional Counsel" to "Assistant Chief Counsel" wherever they appear.

§ 13.19 [Amended]

14. Section 13.19 is amended in paragraph (b) by changing the words "Regional Counsel concerned" to "Assistant Chief Counsel for the region or the Aeronautical Center", and by changing the words "Aeronautical Center Counsel" to "Assistant Chief Counsel for the Aeronautical Center or for the region"; and in paragraph (c) by changing the words "Regional Counsel concerned, or the Aeronautical Center Counsel (as to matters under Title V of the FA Act)" to "Assistant Chief Counsel for the region or the Assistant Chief Counsel for the Aeronautical Center".

§ 13.20 [Amended]

15. Section 13.20(l) is amended by removing the words "and each Regional Counsel" and by changing the words "Aeronautical Center Counsel" to "Assistant Chief Counsel for the Aeronautical Center".

§ 13.21 [Amended]

16. Section 13.21 is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region or the Aeronautical Center".

§ 13.23 [Amended]

17. Section 13.23(b) is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region".

§ 13.25 [Amended]

18. Section 13.25 is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region" wherever they appear and by changing the words "Aeronautical Center Counsel" to "Assistant Chief Counsel for the Aeronautical Center".

§ 13.35 [Amended]

19. Section 13.35(a) is amended by changing the words "Room 914E" to "Room 924A".

§ 13.71 [Amended]

20. Section 13.71 is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region".

§ 13.73 [Amended]

21. Section 13.73 is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region".

§ 13.81 [Amended]

22. Section 13.81(a) is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel for the region".

PART 15—ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT

23. The authority citation for part 15 continues to read as follows:

Authority: 49 U.S.C. 1354; 5 U.S.C. 301; 28 U.S.C. 2672, 2675; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983).

§ 15.3 [Amended]

24. Section 15.3(b) is amended by changing the words "Regional Counsel" to "Assistant Chief Counsel".

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

25. The authority citation for part 21 continues to read as follows:

Authority: 49 U.S.C. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1857f-10, 4321 et. seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

SFAR No. 27-5 [Amended]

26. For the text of an Amendment to SFAR No. 27-5, see 14 CFR part 11 of this document.

§ 21.3 [Amended]

27. Section 21.3 is amended, in paragraph (e)(1), by changing the words "FAA Regional Office" to "Aircraft Certification Office", and, in paragraph (f), by changing the words "Chief, Engineering and Manufacturing Branch (or in the case of the Western Region, the Chief, Aircraft Engineering Division), of the FAA regional office in the region" to "Manager of the Aircraft Certification Office for the geographic area".

§ 21.15 [Amended]

28. Section 21.15(a) is amended by changing the words "FAA regional office" to "Aircraft Certification Office".

§ 21.47 [Amended]

29. Section 21.47 is amended by changing the words "FAA Regional Office" to "Aircraft Certification Office".

30. Section 21.75 is revised to read as follows:

§ 21.75 Application.

Applications for provisional type certificates, for amendments thereto, and for provisional amendments to type certificates must be submitted to the Manager of the Aircraft Certification Office for the geographic area in which the applicant is located (or in the case of European, African, Middle East Region, the Manager, Aircraft Engineering Division), and must be accompanied by the pertinent information specified in this subpart.

§ 21.123 [Amended]

31. Section 21.123(c) is amended by changing the words "Regional Director in the region" to "Aircraft Certification Directorate Manager for the geographic area".

32. Section 21.215 is revised to read as follows:

§ 21.215 Application.

Application for provisional airworthiness certificates must be submitted to the Manufacturing

Inspection District Office in the geographic area in which the manufacturer or air carrier is located. The application must be accompanied by the pertinent information specified in this subpart.

§ 21.235 [Amended]

33. Section 21.235(a) is amended by changing the words "FAA Regional Office" to "Aircraft Certification Office".

§ 21.303 [Amended]

34. Section 21.303(c) introductory text is amended by changing the words "Regional Office of the region" to "Manager of the Aircraft Certification Office for the geographic area".

§ 21.435 [Amended]

35. Section 21.435 introductory text is amended by changing the words "FAA Regional Office for the region" to "Aircraft Certification Office responsible for the geographic area".

36. Section 21.605(a) is amended by revising the introductory text to read as follows:

§ 21.605 Application and issue.

(a) The manufacturer (or an authorized agent) shall submit an application for a TSO authorization, together with the following documents, to the Manager of the Aircraft Certification Office for the geographic area in which the applicant is located:

* * * * *

37. Section 21.609(b) is revised to read as follows:

§ 21.609 Approval for deviation.

* * * * *

(b) The request for approval to deviate, together with all pertinent data, must be submitted to the Manager of the Aircraft Certification Office for the geographic area in which the manufacturer is located. If the article is manufactured in another country, the request for approval to deviate, together with all pertinent data, must be submitted through the civil aviation authority in that country to the FAA.

§ 21.611 [Amended]

38. Section 21.611(a) is amended by changing the words "Chief, Engineering and Manufacturing Branch (or in the case of the Western Region, the Chief, Aircraft Engineering Division)," to "Aircraft Certification Office for the geographic area,".

PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION**SFAR No. 27-5 [Amended]**

For the text of an amendment to SFAR No. 27-5, see 14 CFR part 11 of this document.

PART 45—IDENTIFICATION AND REGISTRATION MARKING

39-41. The authority for part 45 continues to read as follows:

Authority: 49 U.S.C. 1348, 1354, 1401, 1402, 1421, 1423, 1522, 1655(c); (Revised Pub. L. 97-449, January 12, 1983).

SFAR No. 27-5 [Amended]

42. For the text of an amendment to SFAR No. 27-5, see 14 CFR part 11 of this document.

§ 45.22 [Amended]

43. Section 45.22(a)(3)(i) is amended by changing the words "General Aviation" to "Flight Standards".

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

44. The authority citation for part 61 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1421, 1422, and 1427; 49 U.S.C. 106(g) (Revised Pub. L. 97-449; January 12, 1983).

§ 61.118 [Amended]

45. Section 61.118(d)(1) is amended by changing the words "General Aviation" to "Flight Standards".

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

46. The authority citation for part 63 continues to read as follows:

Authority: Secs. 313(a), 314, 601, and 607; 49 U.S.C. 1354(a), 1355, 1421, and 1427.

Appendix B to Part 63—[Amended]

47. Appendix B to part 63 is amended in paragraphs (f), (j), (k), and (m) by changing the words "Aviation Safety district office" to "Flight Standards District Office" wherever they appear.

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

48. The authority citation for part 65 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1421, 1422, and 1427; 49 U.S.C. 106(g) (revised), Pub. L. 97-449, January 12, 1983).

§ 65.93 [Amended]

49. Section 65.93(a) is amended by changing the words "General Aviation District Office, a Flight Standards District Office," to "Flight Standards District Office".

§ 65.95 [Amended]

50. Section 65.95(c) is amended by changing the words "General Aviation" to "Flight Standards".

PART 67—MEDICAL STANDARDS AND CERTIFICATION

51. The authority citation for part 67 continues to read as follows:

Authority: Secs. 313(a), 314, 601, 607, 72 Stat. 752; 49 U.S.C. 1354(a), 1355, 1421, and 1427.

§ 67.19 [Amended]

52. Section 67.19 is amended by changing the words "Director of Flight Operations" in paragraph (d)(4) to "Director, Flight Standards Service," and by changing the word "Chief" in paragraph (f) to "Managers".

§ 67.23 [Amended]

53. Section 67.23 is amended by changing the words "Regional Director" to "Regional Administrator" wherever they appear.

§ 67.25 [Amended]

54. Section 67.25(b) is amended by changing the words "Chief, Aeromedical Certification Branch, Civil Aeromedical Institute" to "Chief, Aeromedical Certification Division".

§ 67.27 [Amended]

55. Section 67.27 is amended in paragraph (a) by changing the words "Chief, Aeromedical Certification Branch, Civil Aeromedical Institute" to "Manager, Aeromedical Certification Division" and in paragraphs (b)(3) and (d) by changing the words "Chief, Aeromedical Certification Branch, Civil Aeromedical Institute" to "Manager, Aeromedical Certification Division, AAM-300".

§ 67.29 [Amended]

56. Section 67.29(c) is amended by changing "Chief, Aeromedical Certification Branch, AC-130" to "Manager, Aeromedical Certification Division, AAM-300".

PART 73—SPECIAL USE AIRSPACE

57. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510, 1522; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 73.19 [Amended]

58. Section 73.19 is amended in paragraph (a) by changing the word "Chief" to "Manager" and by changing the words "Air Traffic Service" to "Air Traffic Operations Service" and in paragraph (c) by changing the words "Director of the Air Traffic Service" to "Director, Air Traffic Operations Service".

PART 77—OBJECTS AFFECTING NAVIGABLE AIRSPACE

59. The authority citation for part 77 continues to read as follows:

Authority: 49 U.S.C. 1304, 1348, 1354, 1421 through 1430, 1431, 1501, 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983), (Revised Pub. L. 100-223, December 30, 1987).

§ 77.17 [Amended]

60. Section 77.17(a) and (e) are amended by changing the word "Chief" to "Manager".

§ 77.35 [Amended]

61. Section 77.35 is amended by changing the word "Director" to "Manager, Air Traffic Division" wherever it appears.

§ 77.37 [Amended]

62. Section 77.37(c)(1) is amended by changing the word "Director" to "Manager, Air Traffic Division".

§ 77.45 [Amended]

63. Section 77.45(a) is amended by changing the words "Director of the Air Traffic Service" to "Director, Air Traffic Operations Service".

PART 91—GENERAL OPERATING AND FLIGHT RULES

64. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; Articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 Stat. 1180); 42 U.S.C. 4321 *et seq.*; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

SFAR 27-5 [Amended]

65. Section 10(d)(3) of SFAR No. 27-5 is amended by revising paragraph (iii), by removing paragraphs (ix) and (xi), by redesignating paragraphs (x) and (xii) as paragraphs (ix)–(xii) and by revising newly redesignated paragraphs (ix) through (xii) to read as follows:

SFAR No. 27-5—Fuel Venting and Exhaust Emission Requirements for Turbine Engine Powered Airplanes

* * * * *

Sec. 10 Incorporation by reference.

* * * * *

(d) * * *

(3) * * *

(iii) Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210, Atlanta, GA 30349.

* * * * *

(ix) Anchorage Aircraft Certification Field Office, 222 W. 7th Avenue, #14, Anchorage, Alaska 99513.

(x) Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, CA 90806.

(xi) Brussels Aircraft Certification Staff, 15 Rue de la Loi, Room B-1040, Brussels, Belgium.

(xii) FAA Representative, Office of U.S. Consulate General, Avenida Presidente Wilson, 147 Rio de Janeiro, Brazil.

* * * * *

SFAR No. 44-5 [Amended]

66. SFAR No. 44-5 is amended by changing the words "Director of the Air Traffic Service" to read "Associate Administrator for Air Traffic" wherever they appear, and by changing "AGC-204" in paragraph 1.(b) of the appendix to read "AGC-10".

Changes to Part 91 in Effect on Effective Date of This Amendment**§ 91.28 [Amended]**

67. Section 91.28(a) is amended by changing the words "Regional Director" to "Flight Standards Division Manager or Aircraft Certification Directorate Manager" wherever they appear.

§ 91.30 [Amended]

68. Section 91.30(a)(2) is amended by changing "Flight Standards Office" to "Flight Standards District Office".

§ 91.41 [Amended]

69. Section 91.41(c) is amended by changing the words "Director of Airworthiness" to "Director, Flight Standards Service".

§ 91.54 [Amended]

70. Section 91.54 is amended by removing the words "General Aviation District Office, or Air Carrier District Office" in paragraph (a)(3); by changing the words "Flight Standards Technical Division" in paragraph (c)(1) to "Aircraft Registration Branch, Attn: Technical Section"; and by removing the words "General Aviation District Office, or Air Carrier District Office," in paragraph (c)(3).

§ 91.100 [Amended]

71. Section 91.100(b)(2) is amended by changing the words "Director, Air

Traffic Service" to "Associate Administrator for Air Traffic".

Changes to Part 91 to Become Effective on August 18, 1990 (54 FR 34291; August 18, 1989)

§ 91.23 [Amended]

72. Section 91.23 is amended by changing the words "Aircraft Registry Technical Section" in paragraph (c)(1) to "Aircraft Registration Branch, Attn: Technical Section".

§ 91.317 [Amended]

73. Section 91.317(c) is amended by changing the words "Director of Airworthiness" to "Director, Flight Standards Service".

§ 91.715 [Amended]

74. Section 91.715(a) is amended by changing the words "Regional Director" to "Flight Standards Division Manager or Aircraft Certification Directorate Manager" wherever they appear.

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

75. The authority citation for part 93 continues to read as follows:

Authority: 49 U.S.C. 1302, 1303, 1348, 1354(a), 1421(a), and 1424; The Metropolitan Washington Airports Act of 1986, Title VI of Pub. L. 99-500; 49 U.S.C. 106 (Revised Pub. L. 97-449, January 12, 1983).

§ 93.221 [Amended]

76. Section 93.221(a)(1) is amended by changing the words "Room 915G, AGC-204," to "AGC-10,".

§ 93.225 [Amended]

77. Section 93.225(e) is amended by changing "AGC-204" to "AGC-10".

PART 109—INDIRECT AIR CARRIER SECURITY

78. The authority citation for part 109 continues to read as follows:

Authority: Secs. 313(a), 316, 601, 1005, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1357, 1421, and 1485); and sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).

§ 109.3 [Amended]

79. Section 109.3 is amended by changing the words "Civil Aviation Security Inspector" in paragraph (b) to "Civil Aviation Security Special Agent" and by changing the words "Director of the Office of Civil Aviation Security Service" in paragraph (c)(3) to "Director of Civil Aviation Security".

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

80. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1356, 1357, 1401, 1421-1430, 1472, 1485, and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983).

SFAR No. 36 [Amended]

81. SFAR No. 36 is amended by changing the words "District Office" in paragraph 2 to "Flight Standards District Office".

§ 121.47 [Amended]

82. Section 121.47(a) is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.59 [Amended]

83. Section 121.59(c)(3) is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.77 [Amended]

84. Section 121.77 is amended by changing the words "District Office" to "Flight Standards District Office" wherever they appear and by changing the words "Director of Flight Operations" in paragraph (c) to "Director, Flight Standards Service".

§ 121.79 [Amended]

85. Section 121.79 is amended by changing the words "District Office" to "Flight Standards District Office" wherever they appear; by removing the words "Director of Airworthiness for amendments pertaining to airworthiness or the" in paragraphs (b) and (d); and by changing the words "Director of Flight Operations" to "Director, Flight Standards Service" everywhere they appear.

§ 121.83 [Amended]

86. Section 121.83 is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.97 [Amended]

87. Section 121.97(c) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service" wherever they appear.

§ 121.117 [Amended]

88. Section 121.117(c) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service" wherever they appear.

§ 121.342 [Amended]

89. Section 121.342(b) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service".

§ 121.373 [Amended]

90. Section 121.373(c) is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.405 [Amended]

91. Section 121.405(e) is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.437 [Amended]

92. Section 121.437(c) is amended by changing the words "an Air Carrier or Flight Standards District Office" to "a Flight Standards District Office".

§ 121.565 [Amended]

93. Section 121.565(d) is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.586 [Amended]

94. Section 121.586 (b) and (c) are amended by changing the words "district office" to "Flight Standards District Office".

§ 121.685 [Amended]

95. Section 121.685 is amended by changing the words "Air Carrier" to "Flight Standards".

§ 121.723 [Amended]

96. Section 121.723 is amended by changing the words "Air Carrier" to "Flight Standards" wherever they appear, and by changing "AC-260" in paragraph (b) to "AVN-460".

Appendix C to Part 121—[Amended]

97. Appendix C to part 121 is amended by changing the words "Air Carrier" in paragraph 1.(b) to "Flight Standards".

Appendix G to Part 121—[Amended]

98. Appendix G to part 121 is amended by changing the words "Air Carrier" in paragraph 1.(a) to "Flight Standards".

PART 125—CERTIFICATION AND OPERATIONS: AIRPLANES HAVING A SEATING CAPACITY OF 20 OR MORE PASSENGERS OR A MAXIMUM PAYLOAD CAPACITY OF 6,000 POUNDS OR MORE

99. The authority citation for part 125 continues to read as follows:

Authority: 49 U.S.C. 1354, 1421 through 1430, and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983).

§ 125.3 [Amended]

100. Section 125.3 is amended, in paragraphs (a) and (b), by changing the words "Associate Administrator for Aviation Standards" to "Administrator", and in paragraph (c), by changing the words "Department of Transportation, Federal Aviation Administration, Associate Administrator for Aviation Standards, 800 Independence Ave., SW., Washington, DC 20591" to "nearest Flight Standards District Office".

§ 125.35 [Amended]

101. Section 125.35 (c) and (d) is amended by changing the words "Director of Airworthiness or the Director of Flight Operations, as appropriate" to "Director, Flight Standards Service".

§ 125.206 [Amended]

102. Section 125.206(b) is amended by changing "Director of Flight Operations" to "Director, Flight Standards Service".

PART 127—CERTIFICATION AND OPERATIONS OF SCHEDULED AIR CARRIERS WITH HELICOPTERS

SFAR No. 36 [Amended]

For the text of an amendment to SFAR No. 36, see 14 CFR part 121 of this document.

PART 129—OPERATIONS: FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN COMMON CARRIAGE

103.-105. The authority citation for part 129 continues to read as follows:

Authority: 49 U.S.C. 1346, 1354(a), 1356, 1357, 1421, 1502, and 1511; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

§ 129.11 [Amended]

106. Section 129.11(b) is amended by changing the words "International District or Field Office" to "Flight Standards District Office" and by changing the words "Regional Director" to "Regional Flight Standards Division Manager".

Appendix A to Part 129—[Amended]

107. Appendix A to part 129 is amended in paragraph (6) by removing the words "To: The Federal Aviation Administration, Washington, DC, 20553".

PART 133—ROTORCRAFT EXTERNAL-LOAD OPERATIONS

108. The authority citation for part 133 continues to read as follows:

Authority: 40 U.S.C. 1348, 1354(a), 1421, and 1427; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

§ 133.15 [Amended]

109. Section 133.15 is amended by changing the words "a General Aviation, Air Carrier, or Flight Standards District Office of the FAA" to "an FAA Flight Standards District Office".

§ 133.25 [Amended]

110. Section 133.25 is amended in paragraph (a) by changing the words "District Office" to "Flight Standards District Office" wherever they appear and in paragraph (b) by changing the words "district office" to "Flight Standards District Office".

§ 133.27 [Amended]

111. Section 133.27(c) is amended by changing the words "district office" to "Flight Standards District Office".

§ 133.31 [Amended]

112. Section 133.31(b) is amended by changing the words "district office" to "Flight Standards District Office".

§ 133.33 [Amended]

113. Section 133.33(d)(1) is amended by changing the words "district office" to "Flight Standards District Office".

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

114. The authority citation for part 135 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355(a), 1421 through 1431, and 1502; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

SFAR No. 36 [Amended]

115. For the text of an amendment to SFAR No. 36, see 14 CFR Part 121 of this document.

§ 135.17 [Amended]

116. Section 135.17 is amended in paragraph (c) by changing the words "Director of Airworthiness, for amendments pertaining to airworthiness or the Director of Flight Operations for amendments pertaining to flight operations" to "Director, Flight Standards Service,"; and in paragraph (d) by changing the words "Director of Airworthiness for amendments pertaining to airworthiness or the Director of Flight Operations for amendments pertaining to flight operations" to "Director, Flight Standards Service," and by changing the words "that District Office" to "that Flight Standards District Office".

§ 135.39 [Amended]

117. Section 135.39(d) is amended by changing the words "Chief of the Flight Standards Division" to "Flight Standards Division Manager".

§ 135.153 [Amended]

118. Section 135.153(b)(1) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service".

§ 135.158 [Amended]

119. Section 135.158(b) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service".

§ 135.267 [Amended]

120. Section 135.267(g) is amended by changing the words "Director of Flight Operations" to "Director, Flight Standards Service" wherever they appear.

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

121. The authority citation for part 137 continues to read as follows:

Authority: Secs. 313(a), 307(c), 601 and 607, 72 Stat. 752; 49 U.S.C. 1354(a), 1348(c), 1421, and 1427.

§ 137.1 [Amended]

122. Section 137.1(c) is amended by changing the words "District Office" to "Flight Standards District Office".

§ 137.15 [Amended]

123. Section 137.15 is amended by changing the words "District Office" to "Flight Standards District Office".

§ 137.17 [Amended]

124. Section 137.17 is amended by changing the words "District Office" to "Flight Standards District Office" wherever they appear and by changing the words "Director of Flight Operations" in paragraph (d) to "Director, Flight Standards Service".

§ 137.51 [Amended]

125. Section 137.51(b)(3) is amended by changing the words "Federal Aviation Administration District Office" to "FAA Flight Standards District Office".

§ 137.77 [Amended]

126. Section 137.77(c) is amended by changing the words "District Office" to "Flight Standards District Office".

PART 139—CERTIFICATION AND OPERATIONS: LAND AIRPORTS SERVING CERTAIN AIR CARRIERS

127. The authority citation for part 139 continues to read as follows:

Authority: 49 U.S.C. 1354(a) and 1432; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

128. Section 139.3 is amended by removing the definition for "Regional Director" and adding a new definition "Regional Airports Division Manager" in alphabetical order, to read as follows:

§ 139.3 Definitions.

* * * * *

Regional Airports Division Manager means the airports division manager for the FAA region in which the airport is located.

* * * * *

§ 139.103 [Amended]

129. Section 139.103(a) is amended by changing the words "Regional Director" to "Regional Airports Division Manager".

§ 139.111 [Amended]

130. Section 139.111(c) is amended by changing the words "Regional Director" to "Regional Airports Division Manager".

§ 139.113 [Amended]

131. Section 139.113 is amended by changing the words "Regional Director" to "Regional Airports Division Manager".

§ 139.217 [Amended]

132. Section 139.217 is amended by changing the words "Regional Director" or "Regional Director's" to "Regional Airports Division Manager" or "Regional Airports Division Manager's" respectively, wherever they appear.

§ 139.319 [Amended]

133. Section 139.319(h)(3) is amended by changing the words "Regional Director" to "Regional Airports Division Manager".

§ 139.321 [Amended]

134. Section 139.321(g) is amended by changing the words "Regional Director" to "Regional Airports Division Manager".

PART 141—PILOT SCHOOLS

135. The authority citation for part 141 continues to read as follows:

Authority: Secs. 313(a), 314, 601, 602, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, 1422, and 1427), and sec. 6(c) of the Dept. of Transportation Act (49 U.S.C. 1655(c)).

§ 141.25 [Amended]

136. Section 141.25 is amended by changing the words "District Office" to "Flight Standards District Office" wherever they appear.

§ 141.53 [Amended]

137. Section 141.53(b) is amended by changing the words "District Office" to "Flight Standards District Office".

§ 141.67 [Amended]

138. Section 141.67 is amended by changing the words "District Office" to "Flight Standards District Office" wherever they appear.

§ 141.87 [Amended]

139. Section 141.87(a) is amended by changing the words "District Office" to "Flight Standards District Office".

§ 141.91 [Amended]

140. Section 141.91(d) is amended by changing the words "District Office" to "Flight Standards District Office".

§ 141.93 [Amended]

141. Section 141.93(b) is amended by changing the words "District Office" to "Flight Standards District Office".

PART 145—REPAIR STATIONS

142. The authority citation for part 145 continues to read as follows:

Authority: Secs. 313, 314, 601, and 607, 72 Stat. 752; 49 U.S.C. 1354(a), 1355, 1421, and 1427, unless otherwise noted.

SFAR No. 36 [Amended]

143. For the text of an amendment to SFAR No. 36, see 14 CFR part 121 of this document.

PART 150—AIRPORT NOISE COMPATIBILITY PLANNING

144. The authority citation for part 150 continues to read as follows:

Authority: 49 U.S.C. 1348, 1354(a), 1421, 1431, 2101, 2102, 2103(a), 2104 (a) and (b), 2201, et seq.; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)

145. Section 150.7 is amended by removing the definition for "Regional Director" and adding a new definition "Regional Airports Division Manager" in alphabetical order, to read as follows:

§ 150.7 Definitions.

* * * * *

Regional Airports Division Manager means the Airports Division Manager having responsibility for the geographic area in which the airport in question is located.

* * * * *

§ 150.13 [Amended]

146. Section 150.13(e)(1) is amended by changing the words "Room 916" to "AGC-10".

§ 150.21 [Amended]

147. Section 150.21 is amended by changing the words "Regional Director" to "Regional Airports Division Manager" wherever they appear.

§ 150.23 [Amended]

148. Section 150.23 is amended by changing the words "Regional Director" to "Regional Airports Division Manager" wherever they appear.

§ 150.31 [Amended]

149. Section 150.31 is amended by changing the words "Regional Director" to "Regional Airports Division Manager" wherever they appear.

§ 150.33 [Amended]

150. Section 150.33(e) is amended by changing the words "Regional Director" to "Regional Airports Division Manager" wherever they appear.

§ 150.35 [Amended]

151. Section 150.35 is amended by changing the words "Regional Director" to "Regional Airports Division Manager" wherever they appear.

PART 153—ACQUISITION OF U.S. LAND FOR PUBLIC AIRPORTS

152. The authority citation for part 153 continues to read as follows:

Authority: 49 U.S.C. 2402 and 2424; the Metropolitan Washington Airports Act of 1986, Pub. L. 99-591, October 30, 1986.

§ 153.5 [Amended]

153. Section 153.5 is amended by changing the words "Area Manager for the area" to "Regional Airports Division Manager for the region".

PART 169—EXPENDITURE OF FEDERAL FUNDS FOR NONMILITARY AIRPORTS OR AIR NAVIGATION FACILITIES THEREON

154. The authority citation for part 169 continues to read as follows:

Authority: Secs. 308, 313, 72 Stat. 750, 752; 49 U.S.C. 1349, 1354; 49 U.S.C. 1655.

§ 169.3 [Amended]

155. Section 169.3(a) is amended by changing the words "Regional Airport Division or District Office" to "Regional Airports Division or Airports District Office".

§ 169.5 [Amended]

156. Section 169.5(d) is amended by changing the words "Regional

Directors" to "Regional Airports Division Managers".

PART 171—NON-FEDERAL NAVIGATION FACILITIES

157. The authority citation for part 171 continues to read as follows:

Authority: 49 U.S.C. 1343, 1346, 1348, 1354(a), 1355, 1401, 1421-1430, 1472(c), 1502, and 1522; 49 U.S.C. 106(g) (Revised Pub. L. 97-449 January 12, 1983).

§ 171.73 [Amended]

158. Section 171.73 is amended by changing the words "Regional Director" to "Regional Administrator".

§ 171.75 [Amended]

159. Section 171.75 is amended by changing the words "Systems Research and Development Service" in paragraph (a) to "Advanced System Design Service" and by changing the words "Regional Director" in paragraph (b) to "Regional Administrator".

PART 183—REPRESENTATIVES OF THE ADMINISTRATOR

160. The authority citation for part 183 continues to read as follows:

Authority: Secs. 301(c), 305, 307(b), 313(a), and 314, 72 Stat. 744; 49 U.S.C. 1341(c), 1346, 1348(b), 1354(a), and 1355, and sec. 501, 65 Stat. 290; 31 U.S.C. 483a.

§ 183.11 [Amended]

161. Section 183.11 is amended by changing the words "The Chief of the Aircraft Engineering Division, or the Chief's designee" in paragraph (c)(1) to "The Manager, Aircraft Certification Office, or the Manager's designee"; by changing the words "The Chief of the Aircraft Manufacturing Division, or the Chief's designee" in paragraph (c)(2) to "The Manager, Aircraft Certification Directorate, or the Manager's designee"; by changing the words "Director, Air Traffic Service" in paragraph (d) to "Associate Administrator for Air Traffic"; and by changing the words "The Director of Airworthiness" in paragraph (e) to "The Director, Aircraft Certification Service."

§ 183.15 [Amended]

162. Section 183.15(b) is amended by changing the words "Flight Standards Designated Representative" to "Flight Standards and Aircraft Certification Service Designated Representative".

§ 183.25 [Amended]

163. Section 183.25(c)(2) is amended by changing the words "Director, Air Traffic Service" to "Associate Administrator for Air Traffic".

§ 183.29 [Amended]

164. Section 183.29(i) is amended by changing the words "Director, Environment and Energy" to "Director of Environment and Energy".

165. Section 183.33(a) is revised to read as follows:

§ 183.33 Designated Airworthiness Representative.

(a) Perform examination, inspection, and testing services necessary to the issuance of certificates, including issuing certificates, as authorized by the Director, Flight Standards Service, in the area of maintenance, or as authorized by the Director, Aircraft Certification Service, in the areas of manufacturing and engineering.

PART 185—TESTIMONY BY EMPLOYEES AND PRODUCTION OF RECORDS IN LEGAL PROCEEDINGS, AND SERVICE OF LEGAL PROCESS AND PLEADINGS

166. The authority citation for part 185 continues to read as follows:

Authority: Secs. 303, 313, 72 Stat. 747, 752; 49 U.S.C. 1344, 1354, 1655; Part 9 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 9) as amended (34 FR 11972).

§ 185.5 [Amended]

167. Section 185.5 is amended by changing the words "regional counsel, the Aeronautical Center counsel, and the NAFEC counsel" to "Assistant Chief Counsel, the Assistant Chief Counsel for the Aeronautical Center, and the Assistant Chief Counsel for the Technical Center".

PART 189—USE OF FEDERAL AVIATION ADMINISTRATION COMMUNICATIONS SYSTEM

186. The authority citation for part 189 continues to read as follows:

Authority: Secs. 301(c), 305, 307(b), 313(a), and 314, 72 Stat. 744; 49 U.S.C. 1341(c), 1346, 1348(b), 1354(a), and 1355, and sec. 501, 65 Stat. 290; 31 U.S.C. 483a.

§ 189.5 [Amended]

169. Section 189.5(d) is amended by changing the word "Director" to "Administrator".

PART 191—WITHHOLDING SECURITY INFORMATION FROM DISCLOSURE UNDER THE AIR TRANSPORTATION SECURITY ACT OF 1974

170. The authority citation for part 191 continues to read as follows:

Authority: Secs. 313(a), 316(d)(2), 601 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1357(d)(2), 1421); sec. 6(c), Dept. of Transportation Act (49 U.S.C. 1655(c)).

§ 191.3 [Amended]

171. Section 191.3(a) is amended by changing the words "Director, to FAA Civil Aviation Security Service" to "Director of Civil Aviation Security".

§ 191.5 [Amended]

172. Section 191.5 is amended by changing the words "Director, to FAA Civil Aviation Security Service" to "Director of Civil Aviation Security".

§ 191.7 [Amended]

173. Section 191.7 is amended by changing the words "Director, Civil Aviation Security Service" to "Director of Civil Aviation Security".

PART 199—AIRCRAFT LOAN GUARANTEE PROGRAM

174. The authority citation for part 199 continues to read as follows:

Authority: Act of Sept. 7, 1957 (49 U.S.C. 1324 Note; 62 Stat. 1003), as amended, Pub. L. 95-504, sec. 6(a)(3)(A) and 9 of the Dept. of Transportation Act (49 U.S.C. 1655(a)(3)(A) and 1657) and sec. 1.4(b)(4) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.4(b)(4)).

§ 199.25 Deviation from terms of agreement or guarantee.

175. Section 199.25 is amended by revising the last sentence to read as follows:

* * * Requests for such approval shall be made in writing and sent along with appropriate supporting documentation to the Director of Aviation Policy and Plans, APO-1, 800 Independence Ave. SW., Washington, DC 20591.

§ 199.27 [Amended]

176. Section 199.27 is amended by changing the word "function," to "functions".

Appendix A to Part 199—[Amended]

177. Appendix A to part 199 is amended by changing the words "Civil Aeronautics Board" to "Office of the Secretary of Transportation" in paragraph (2).

Issued in Washington, DC, on September 15, 1989.

James B. Busey,
Administrator.

[FR Doc. 89-22317 Filed 9-22-89; 8:45 am]

BILLING CODE 4910-13-M