

Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Farm Service Agency

Rural Business—Cooperative Service

Rural Housing Service

Rural Utilities Service

7 CFR Part 1900

RIN 0560-AH57

Regulations Regarding Employee Conflicts of Interest

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: This rule clarifies the regulations governing employee conflicts of interest for the successor agencies of the former Farmers Home Administration (FmHA), which was reorganized by the Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354) into the Farm Service Agency (FSA), Rural Business-Cooperative Service, Rural Housing Service and Rural Utilities Service. Since the reorganization, FSA revised its regulations to streamline them and separate them from the other successor agencies. FSA's regulations regarding employee conflicts of interest are now found in regulations published by the Office of Government Ethics (OGE) in 5 CFR part 2635 and regulations published jointly by OGE and FSA in 5 CFR part 8301. To avoid confusion regarding applicability of the regulations, this rule amends 7 CFR part 1900, subpart D to provide specifically that they do not apply to FSA.

DATES: *Effective Date:* July 11, 2006.

FOR FURTHER INFORMATION CONTACT:

Tonya Willis, Human Resources Division, Farm Service Agency; telephone: (202) 418-8972; Facsimile: (202) 418-9093; E-mail: Tonya.Willis@usda.gov.

SUPPLEMENTARY INFORMATION

Executive Order 12866

This rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, was not reviewed by the Office of Management and Budget.

Paperwork Reduction Act

This rule does not affect any information collections.

List of Subjects in 7 CFR Part 1900

Agriculture, Loan programs—Agriculture.

■ Accordingly, 7 CFR part 1900 is amended as follows:

PART 1900—GENERAL

■ 1. The authority citation for part 1900 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 7 U.S.C. 6991, et seq.; 42 U.S.C. 1480; Reorganization Plan No. 2 of 1953 (5 U.S.C. App.).

Subpart D—Processing and Servicing FmHA or Its Successor Agency Under Public Law 103-354 Assistance to Employees, Relatives, and Associates

■ 2. In § 1900.151, add a new paragraph (d), to read as follows:

§ 1900.151 General.

* * * * *

(d) The provisions of this subpart do not apply to the Farm Service Agency. The relevant regulations applicable to the Farm Service Agency can be found at 5 CFR parts 2635 and 8301.

J.B. Penn,

Under Secretary for Farm and Foreign Services.

Dated: June 28, 2006.

Thomas C. Dorr,

Under Secretary for Rural Development.

[FR Doc. 06-6122 Filed 7-10-06; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-24074; Directorate Identifier 2005-NM-213-AD; Amendment 39-14676; AD 2006-14-05]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: The FAA is superseding an existing airworthiness directive (AD), which applies to certain Bombardier Model CL-600-2C10 (Regional Jet Series 700 and 701) and CL-600-2D24 (Regional Jet Series 900) series airplanes. That AD currently requires repetitive detailed inspections for cracking or deformation, or pulled or missing fasteners, on the lower panel of the left- and right-hand main landing gear (MLG) doors, as applicable, and corrective actions if necessary. This new AD reduces the repetitive inspection interval for certain airplanes. This new AD also adds airplanes to the applicability. This AD results from a report of a MLG door departing from an airplane. We are issuing this AD to prevent failure of the lower panel of the MLG door, departure of the lower panel from the airplane, and consequent damage to airplane structure, which could adversely affect the airplane's continued safe flight and landing.

DATES: This AD becomes effective August 15, 2006.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of August 15, 2006.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC.

Contact Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Richard Beckwith, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York 11590; telephone (516) 228-7302; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Examining the Docket

You may examine the airworthiness directive (AD) docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the ADDRESSES section.

Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that supersedes AD 2003-19-51, amendment 39-13353 (68 FR 61615, October 29, 2003). The existing AD applies to certain Bombardier Model CL-600-2C10 (Regional Jet Series 700 and 701)

and CL-600-2D24 (Regional Jet Series 900) series airplanes (originally issued September 17, 2003, as an emergency airworthiness directive). That NPRM was published in the **Federal Register** on March 7, 2006 (71 FR 11335). That NPRM proposed to continue to require repetitive detailed inspections for cracking or deformation, or pulled or missing fasteners, on the lower panel of the left- and right-hand main landing gear (MLG) doors, as applicable, and corrective actions if necessary. That NPRM also proposed to reduce the repetitive inspection interval for certain airplanes and to add airplanes to the applicability.

Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been received on the NPRM or on the determination of the cost to the public.

Revision of Corrective Action Paragraph (i)(2)

We have revised paragraph (i)(2) of this AD to specify that the replacement be done in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA; or Transport Canada Civil Aviation (TCCA) (or its delegated agent), and that doing the replacement in accordance with Task Cards 32-12-01-000-801-A01 and 32-12-01-400-801-

A01 of the CRJ 700/900 Series Regional Jet Aircraft Maintenance Manual is one approved method.

Clarification of Paragraph (k) Requirements

We have revised paragraph (k) of this AD to clarify that inspections must be done on installed door(s) that have previously been inspected in accordance with paragraph (g).

Clarification of AFM Reference

We have revised the AFM reference specified in paragraphs (m)(2)(i) and (m)(2)(ii) of this AD.

Conclusion

We have carefully reviewed the available data, and determined that air safety and the public interest require adopting the AD with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Interim Action

We consider this AD interim action. If final action is later identified, we may consider further rulemaking then.

Costs of Compliance

The following table provides the estimated costs for U.S. operators to comply with this AD. This affects about 213 airplanes of U.S. registry.

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspections (required by AD 2003-19-51).	1	\$65	\$65, per inspection cycle	83	\$5,395, per inspection cycle.
Inspections (new action)	1	65	\$65, per inspection cycle	213	\$13,854, per inspection cycle.
Revision (new action)	1	65	\$65, if necessary	213	Up to \$13,854.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures

the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866;

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39–13353 (68 FR 61615, October 29, 2003) and by adding the following new airworthiness directive (AD):

2006–14–05 Bombardier, Inc. (Formerly Canadair): Amendment 39–14676. Docket No. FAA–2006–24074; Directorate Identifier 2005–NM–213–AD.

Effective Date

(a) This AD becomes effective August 15, 2006.

Affected ADs

(b) This AD supersedes AD 2003–19–51.

Applicability

(c) This AD applies to Bombardier Model CL–600–2C10 (Regional Jet Series 700, 701, and 702) airplanes, serial numbers (S/Ns) 10003 and subsequent; and Model CL–600–2D15 (Regional Jet Series 705) airplanes and Model CL–600–2D24 (Regional Jet Series

900) airplanes, S/Ns 15001 and subsequent; certificated in any category.

Unsafe Condition

(d) This AD results from a report of a main landing gear (MLG) door departing from an airplane. We are issuing this AD to prevent failure of the lower panel of the MLG door, departure of the lower panel from the airplane, and consequent damage to airplane structure, which could adversely affect the airplane's continued safe flight and landing.

Compliance

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

Restatement of Requirements of AD 2003–19–51**Initial Compliance Time**

(f) For Model CL–600–2C10 (Regional Jet series 700 & 701) series airplanes, S/Ns 10003 through 10999 inclusive; and Model CL–600–2D24 (Regional Jet series 900) series airplanes, S/Ns 15002 through 15990 inclusive: Perform the initial inspection specified in paragraph (g) of this AD at the applicable time specified in paragraph (f)(1) or (f)(2) of this AD.

(1) For airplanes with fewer than 1,500 total flight cycles as of November 3, 2003 (the effective date of AD 2003–19–51): Do the inspections before the accumulation of 1,050 total flight cycles, or within 50 flight cycles after the effective date of this AD, whichever is later.

(2) For airplanes with 1,500 or more total flight cycles as of November 3, 2003: Do the inspections within 10 flight cycles after the effective date of this AD.

Inspections

(g) For Model CL–600–2C10 (Regional Jet series 700 & 701) series airplanes, S/Ns 10003 through 10999 inclusive; and Model CL–600–

2D24 (Regional Jet series 900) series airplanes, S/Ns 15002 through 15990 inclusive: At the applicable time specified in paragraph (f) of this AD, perform detailed inspections of the lower panel, part number (P/N) CC670–10520, of the left- and right-hand MLG doors for the conditions and in the areas specified in paragraphs (g)(1), (g)(2), (g)(3), and (g)(4) of this AD; and Figures 1, 2, and 3 of this AD.

Note 1: For the purposes of this AD, a detailed inspection is defined as: “An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.”

(1) Inspect the cross member, P/N CC670–10572, of the MLG door lower panel for cracking or deformation, in accordance with Figure 2 of this AD.

(2) Inspect the inner skin, P/N CC670–10577, of the MLG door lower panel at the cross member (P/N CC670–10572) for cracking or deformation, or pulled or missing fasteners, in accordance with Figure 2 of this AD.

(3) Inspect the outer skin, P/N CC670–10574, of the MLG door lower panel at the cross member (P/N CC670–10572) for cracking or deformation, or pulled or missing fasteners, in accordance with Figure 2 of this AD.

(4) Inspect the forward member, P/N CC670–10570, and aft member, P/N CC670–10571, of the MLG door lower panel for cracking or deformation, or pulled or missing fasteners, in accordance with Figure 3 of this AD. Figures 1 through 3 of this AD follow.

BILLING CODE 4910–13–U

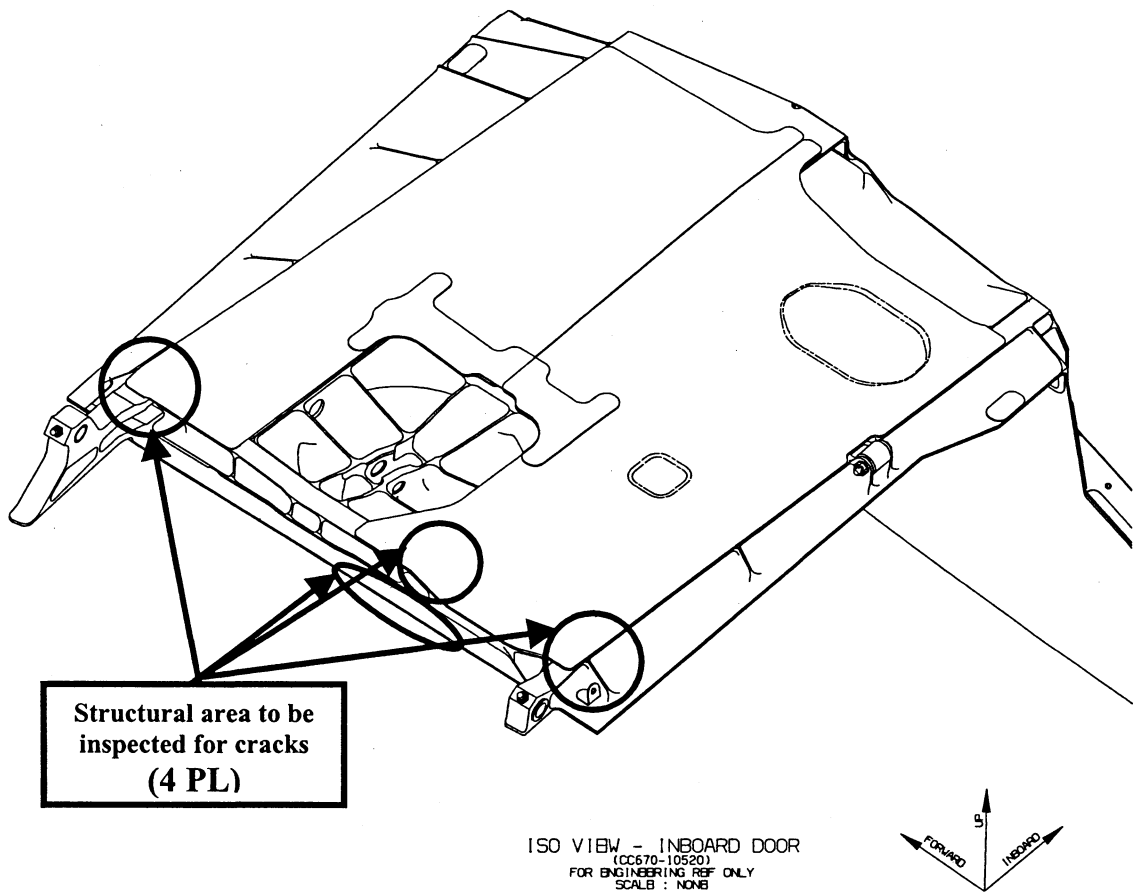
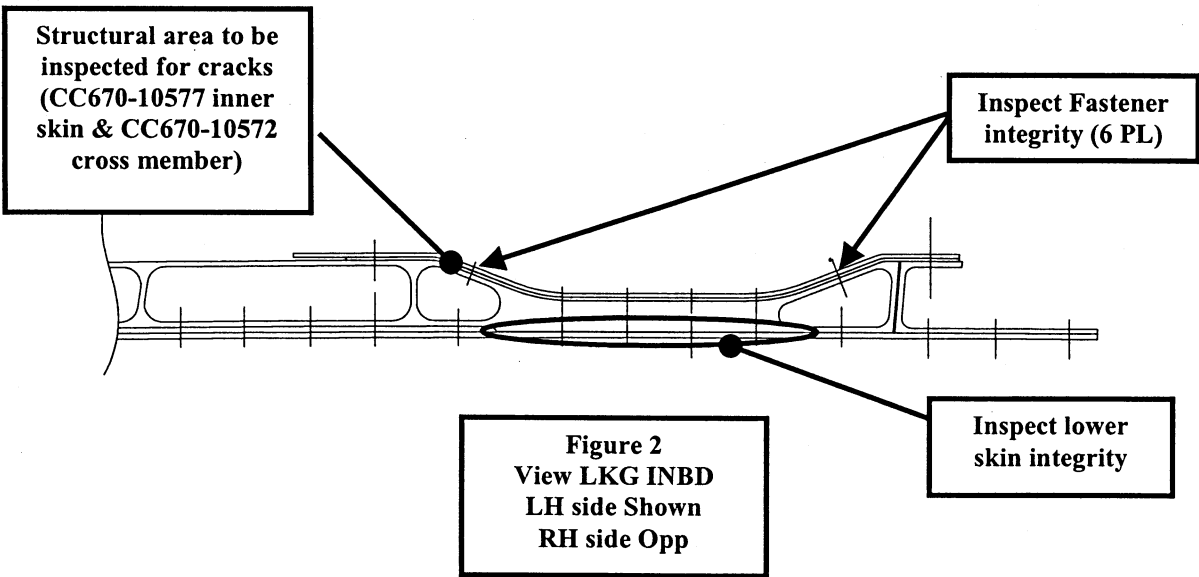
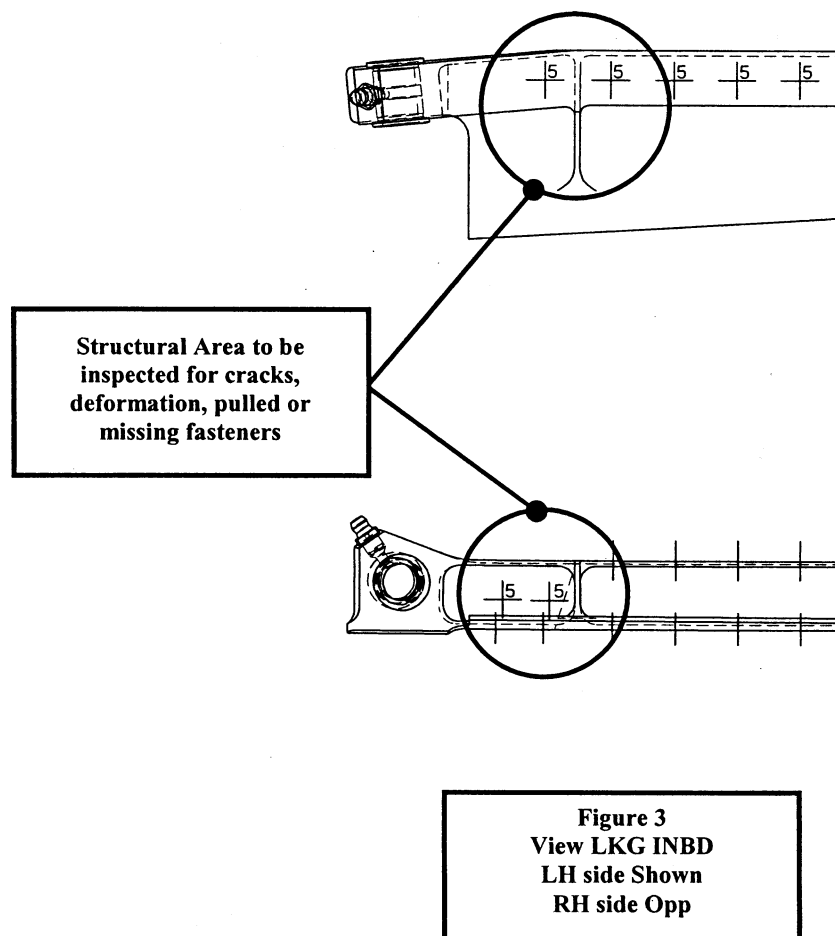


Figure 1
LH side shown
RH side opposite



**BILLING CODE 4910-13-C***Repetitive Inspections*

(h) If no cracking or deformation, or pulled or missing fastener, as applicable, is found during any inspection required by paragraph (g) or (h) of this AD, repeat the inspections thereafter at intervals not to exceed 100 flight cycles.

Corrective Actions

(i) If any cracking or deformation, or pulled or missing fastener, as applicable, is found during any inspection done in accordance with paragraph (g) or (h) of this AD: Before further flight, accomplish paragraph (i)(1), (i)(2), or (i)(3) of this AD.

(1) Repair the damage in accordance with a method approved by either the Manager, New York Aircraft Certification Office (ACO), FAA; or Transport Canada Civil Aviation (TCCA) (or its delegated agent); and accomplish repetitive inspections in accordance with a method and at a repetitive interval approved by same.

(2) Replace the lower panel assembly, P/N CC670-10520, of the affected MLG door with a new or serviceable lower panel assembly having the same P/N, according to a method approved by either the Manager, New York ACO, FAA; or TCCA (or its delegated agent). Task Cards 32-12-01-000-801-A01 and 32-12-01-400-801-A01 of the CRJ 700/900

Series Regional Jet Aircraft Maintenance Manual are one approved method of doing the replacement. Repeat the inspections specified in paragraph (g) of this AD at intervals not to exceed 100 flight cycles.

(3) Remove the lower panel assembly, P/N CC670-10520, of the affected MLG door, and accomplish paragraph (i)(3)(i) or (i)(3)(ii), as applicable.

(i) For Model CL600-2C10 (Regional Jet series 700 & 701) series airplanes: Revise the Configuration Deviation List (CDL), Appendix 1, of the airplane flight manual (AFM), to include the following limitations. This may be accomplished by inserting a copy of this AD into the CDL of the AFM.

“For Model CL600-2C10 series airplanes: If one or both door panel assemblies, part number CC670-10520, is missing:

(1) Take-off Weight is reduced by 202.5 kg/door, or 450 lb/door

(2) Enroute Climb Weight is reduced by 445.5 kg/door, or 990 lb/door

(3) Landing Weight is reduced by 202.5 kg/door, or 450 lb/door

(4) Fuel Consumption is increased by +3.42% on fuel used/door

(5) Cruise Airspeed is limited to not more than 0.78 Mach.”

(ii) For Model CL-600-2D24 (Regional Jet series 900) series airplanes: Revise the CDL, Appendix 1, of the AFM, to include the following limitations. This may be

accomplished by inserting a copy of this AD into the CDL of the AFM.

“For Model CL600-2D24 series airplanes: If one or both door panel assemblies, part number CC670-10520, is missing:

(1) Take-off Weight is reduced by 245 kg/door, or 540 lb/door

(2) Enroute Climb Weight is reduced by 551 kg/door, or 1,215 lb/door

(3) Landing Weight is reduced by 245 kg/door, or 540 lb/door

(4) Fuel Consumption is increased by +3.42% on fuel used/door

(5) Cruise Airspeed is limited to not more than 0.78 Mach.”

New Requirements of This AD*Inboard MLG Door Inspections*

(j) For all airplanes on which an inspection has not been done in accordance with paragraph (g) of this AD on or before the effective date of this AD: At the applicable time specified in paragraph (j)(1) or (j)(2) of this AD, do the inspections of the left- and right-hand inboard MLG doors for damage in accordance with Part A of the Accomplishment Instructions of Bombardier Alert Service Bulletin A670BA-32-016, Revision A, dated June 7, 2005, excluding Appendix A, dated June 2, 2005, and including Appendix B, dated June 2, 2005. Doing the inspections required by this

paragraph terminates the actions required by paragraphs (f) through (i) of this AD.

(1) For airplanes that have accumulated fewer than 1,500 total flight cycles as of the effective date of this AD: Before the accumulation of 1,000 total flight cycles or within 50 flight cycles after the effective date of this AD, whichever occurs later.

(2) For airplanes that have accumulated 1,500 flight cycles or more as of the effective date of this AD: Within 10 flight cycles after the effective date of this AD.

(k) For airplanes on which an inspection has been done in accordance with paragraph (g) of this AD on or before the effective date of this AD: At the applicable time specified in paragraph (k)(1) or (k)(2) of this AD, inspect installed door(s) as specified in paragraph (j) of this AD. Doing the inspections required by this paragraph terminates the actions required by paragraphs (f) through (i) of this AD.

(1) For airplanes that are not subject to an approved alternative method of compliance (AMOC) that extends the inspection interval to 450 flight cycles: Within 100 flight cycles since the last inspection done in accordance with paragraph (g) of this AD.

(2) For airplanes that are subject to an approved AMOC that extends the inspection interval to 450 flight cycles: At the earlier of the times specified in paragraphs (k)(2)(i) and (k)(2)(ii) of this AD:

(i) Within 450 flight cycles since the last inspection done in accordance with paragraph (g) of this AD.

(ii) Within 100 flight cycles since the last inspection done in accordance with paragraph (g) of this AD or within 50 cycles after the effective date of this AD, whichever occurs later.

(l) If no damage is found during any inspection done in accordance with paragraph (j) of this AD, repeat the inspections specified in paragraph (j) of this AD thereafter at intervals not to exceed 100 flight cycles.

Corrective Action—Replace or Remove MLG Door

(m) If any damage is found during any inspection done in accordance with paragraph (j) of this AD, before further flight, do the actions in paragraph (m)(1) or (m)(2) of this AD. Repeat the inspections specified in paragraph (j) of this AD thereafter at intervals not to exceed 100 flight cycles.

(1) Replace the inboard MLG door with a new or repaired door in accordance with Part B of the Accomplishment Instructions of the Bombardier Alert Service Bulletin A670BA-32-016, Revision A, dated June 7, 2005, excluding Appendix A, dated June 2, 2005, and including Appendix B, dated June 2, 2005; except where the service bulletin specifies to contact the manufacturer for repair if no generic repair engineering order (REO) is available, before further flight, repair using a method approved by either the Manager, New York ACO, FAA; or the TCCA (or its delegated agent).

(2) Remove the inboard MLG door in accordance with Part B of the Accomplishment Instructions of the Bombardier Alert Service Bulletin A670BA-32-016, Revision A, dated June 7, 2005,

excluding Appendix A, dated June 2, 2005, and including Appendix B, dated June 2, 2005; and accomplish paragraph (m)(2)(i) or (m)(2)(ii), as applicable.

(i) For Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes and Model CL-600-2D15 (Regional Jet Series 705) airplanes: Revise the Configuration Deviation List (CDL), Appendix 1, of the Bombardier Canadair Regional Jet AFM, to include the following limitations. This may be accomplished by inserting a copy of this AD into the CDL of the AFM. Remove any existing CDL limitation required by paragraph (i)(3)(i) of this AD from the AFM.

“For Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes and Model CL-600-2D15 (Regional Jet Series 705) airplanes: If one or both door panel assemblies, part number CC670-10520, is missing:

(1) Take-off Weight is reduced by 202.5 kg/door, or 450 lb/door

(2) Enroute Climb Weight is reduced by 445.5 kg/door, or 990 lb/door

(3) Landing Weight is reduced by 202.5 kg/door, or 450 lb/door

(4) Fuel Consumption is increased by +2.5% on fuel used/door

(5) Cruise Airspeed is limited to not more than 0.78 Mach

(6) The climb ceiling obtained from the Flight Planning and Cruise Control Manual (FPCCM) must be reduced by 1,000 ft/door.”

Note 2: When a statement with the information specified in paragraph (m)(2)(i) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

(ii) For Model CL-600-2D24 (Regional Jet Series 900) airplanes: Revise the CDL, Appendix 1, of the Bombardier Canadair Regional Jet AFM, to include the following limitations. This may be accomplished by inserting a copy of this AD into the CDL of the AFM. Remove any existing CDL limitation required by paragraph (i)(3)(ii) of this AD from the AFM.

“For Model CL-600-2D24 (Regional Jet Series 900) airplanes: If one or both door panel assemblies, part number CC670-10520, is missing:

(1) Take-off Weight is reduced by 245 kg/door, or 540 lb/door

(2) Enroute Climb Weight is reduced by 551 kg/door, or 1,215 lb/door

(3) Landing Weight is reduced by 245 kg/door, or 540 lb/door

(4) Fuel Consumption is increased by +2.5% on fuel used/door

(5) Cruise Airspeed is limited to not more than 0.78 Mach

(6) The climb ceiling obtained from the Flight Planning and Cruise Control Manual (FPCCM) must be reduced by 1,000 ft/door.”

Note 3: When a statement with the information specified in paragraph (m)(2)(ii) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

Revise CDL

(n) For airplanes on which the door(s) have been removed in accordance with paragraph

(i)(3) of this AD: Within 30 days after the effective date of this AD, do the revision specified in paragraph (m)(2)(i) or (m)(2)(ii) of this AD, as applicable, and remove any revision required by paragraph (i)(3)(i) or (i)(3)(ii) of this AD.

No Reporting Required

(o) Although Bombardier Alert Service Bulletin A670BA-32-016, Revision A, dated June 7, 2005, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

Actions Accomplished According to Previous Issue of Service Bulletin

(p) Actions accomplished before the effective date of this AD according to Bombardier Alert Service Bulletin A670BA-32-016, dated June 2, 2005, are considered acceptable for compliance with the corresponding action specified in this AD.

Alternative Methods of Compliance (AMOCs)

(q)(1) The Manager, New York ACO, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

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

(3) AMOCs approved previously in accordance with AD 2003-19-51 are not approved as AMOCs with this AD.

Related Information

(r) Canadian airworthiness directive CF-2003-23R2, dated July 27, 2005, also addresses the subject of this AD.

Material Incorporated by Reference

(s) You must use Bombardier Alert Service Bulletin A670BA-32-016, Revision A, dated June 7, 2005, excluding Appendix A, dated June 2, 2005, and including Appendix B, dated June 2, 2005, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on June 28, 2006.

Kalene C. Yanamura,

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

[FR Doc. 06-6051 Filed 7-10-06; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[TD 9274]

RIN 1545-BB16

Disclosure of Return Information by Certain Officers and Employees for Investigative Purposes

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final regulations relating to the disclosure of return information pursuant to section 6103(k)(6) of the Internal Revenue Code (Code). The final regulations describe the circumstances under which Internal Revenue and Office of Treasury Inspector General for Tax Administration (TIGTA) employees may disclose return information to the extent necessary to obtain information or to accomplish properly any activity connected with certain official duties. These regulations clarify and elaborate on the facts and circumstances in which disclosure pursuant to section 6103(k)(6) is authorized.

DATES: *Effective Date:* These regulations are effective July 11, 2006.

Applicability Date: For dates of applicability, see § 301.6103(k)(6)-1(e).

FOR FURTHER INFORMATION CONTACT:

Helene R. Newsome, 202-622-4570 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Under section 6103(a), returns and return information are confidential unless the Code authorizes disclosure. Section 6103(k)(6) authorizes an internal revenue officer or employee and an officer or employee of TIGTA, in connection with official duties relating to any audit, collection activity, civil or criminal tax investigation, or offense under the internal revenue laws, to disclose return information to a person other than the taxpayer to whom such return information relates (or his or her representative) to the extent that such disclosure is necessary to obtain

information not otherwise reasonably available with respect to the correct determination of tax, liability for tax, or the amount to be collected, or with respect to the enforcement of any other provision of the Code or related statutes. Disclosure depends on situations and conditions prescribed by regulation.

On July 10, 2003, temporary regulations (TD 9073) under section 6103(k)(6) were published in the **Federal Register** (68 FR 41073). A notice of proposed rulemaking (REG-140808-02) cross-referencing the temporary regulations was published in the **Federal Register** for the same day (68 FR 41089).

These regulations reflected a legislative amendment to section 6103(k)(6) clarifying that officers or employees of TIGTA are among those individuals authorized to make disclosures under section 6103(k)(6). See Consolidated Appropriations Act, 2001, Public Law 106-554 (114 Stat. 2763), section 1 enacting H.R. 5662, Community Renewal Tax Relief Act of 2000, section 313(c).

These regulations also clarified the standard for determining whether disclosures are authorized under section 6103(k)(6). In particular, the regulations addressed the issues surrounding the disclosures that occur when internal revenue or TIGTA employees introduce themselves to third party witnesses or communicate in writing, e.g., using official letterhead that reveals affiliation with the IRS or TIGTA. The regulations also clarified that section 6103(k)(6) does not limit internal revenue or TIGTA employees with respect to the initiation or conduct of an investigation. Finally, the regulations clarified that section 6103 does not require internal revenue and TIGTA employees to contact a taxpayer for information before contacting third party witnesses.

No comments were received from the public in response to the notice of proposed rulemaking. No public hearing was requested or held. In this Treasury decision, the proposed regulations are adopted as revised below.

Explanation of Revisions

The proposed and temporary regulations provide that internal revenue and TIGTA employees may identify themselves, their organizational affiliation, and the nature of their investigation, when making an oral, written, or electronic contact with a third party witness through the use and presentation of any identification media (including, but not limited to, a Federal agency badge, credential, or business card) or through the use of an information document request,

summons, or correspondence on Federal agency letterhead or which bears a return address or signature block that reveals affiliation with the Federal agency. In the final regulations, § 301.6103(k)(6)-1(a)(3) has been revised to make clear that internal revenue and TIGTA employees may identify themselves, their organizational affiliation, and the nature of their investigation, when making any oral, written, or electronic contact with a third party witness, not just when making a contact with a third party witness through the use and presentation of identification media, or through the use of an information document request, summons, or correspondence. This revision is intended as a clarification rather than a change in the effect of the regulations.

The proposed and temporary regulations define the term *disclosure of return information to the extent necessary*. The fourth sentence of § 301.6103(k)(6)-1(c)(1) states that section 6103(k)(6) does not limit or restrict IRS or TIGTA officers and employees with respect to initiating or conducting an investigation. The final regulations revise this sentence to clarify that section 6103(k)(6) applies to all internal revenue officers and employees, not just IRS officers and employees. There are individuals, in addition to IRS officers and employees, who are internal revenue officers and employees because they are responsible for administering and enforcing certain tax administration provisions. This revision is intended as a clarification rather than a change in the effect of the regulations.

The proposed and temporary regulations define the term *internal revenue employee* as an officer or employee of the IRS or Office of Chief Counsel for the IRS. The final regulations add a phrase to § 301.6103(k)(6)-1(c)(4) to encompass individuals responsible for administering and enforcing certain tax administration provisions who are not officers and employees of the IRS or the Office of Chief Counsel for the IRS. Pursuant to the duties and powers established by the Homeland Security Act of 2002, Public Law 107-296, section 1111 et seq., (116 Stat. 2135 (2002)), the Tax and Trade Bureau (TTB) in the Department of the Treasury has the responsibility for administering and enforcing the taxes under Chapters 32 (Part III of Subchapter D), 51, and 52 of the Code, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in the Department of Justice has the responsibility for administering and enforcing the taxes under Chapter 53 of