

2. In § 292.1, paragraphs (a)(2) (ii) and (iii) are revised to read as follows:

§ 292.1 Representation of others.

(a) * * *

(2) * * *

(ii) In the case of a law student, he or she has filed a statement that he or she is participating, under the direct supervision of a faculty member or an attorney, in a legal aid program or clinic conducted by a law school or non-profit organization, and that he or she is appearing without direct or indirect remuneration from the alien he or she represents;

(iii) In the case of a law graduate, he or she has filed a statement that he or she is appearing under the supervision of a licensed attorney or accredited representative and that he or she is appearing without direct or indirect remuneration from the alien he or she represents; and

* * * * *

Dated: October 7, 1996.

Janet Reno,

Attorney General.

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BILLING CODE 4410-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Docket No. 28311]

Review of Existing Rules

AGENCY: Federal Aviation Administration, DOT.

ACTION: Regulatory Review Program, disposition of comments and final guidelines.

SUMMARY: As provided for in its 1995 Strategic Plan, the Federal Aviation Administration (FAA) will undertake periodic reviews of its existing regulations. This action discusses and disposes of the comments received in response to the Federal Register notice of August 24, 1995, and sets forth the guidelines adopted by the FAA for the conduct of its Regulatory Review Program.

EFFECTIVE DATE: January 2, 1997.

FOR FURTHER INFORMATION CONTACT: Chris A. Christie, Director, Office of Rulemaking, 800 Independence Ave., SW., Washington, DC 20591, telephone (202) 267-9677, FAX (202) 267-5075.

SUPPLEMENTARY INFORMATION:

Background

On January 10, 1994, the FAA published in the Federal Register (59

FR 1362) a notice proposing to initiate a short-term regulatory review in response to a recommendation from the President's National Commission to Ensure a Strong Competitive Airline Industry.

Similarly, in early 1992, pursuant to an Executive Order issued by then-President Bush, the Department of Transportation (DOT) and each of its modal administrations reviewed all existing regulations.

The FAA's experience with the above two reviews has shown there is great value in obtaining public input in setting the agency's regulatory agenda and priorities regardless of whether such input is an affirmation of the agency's direction or an indication of a need to alter course.

Comments

On August 24, 1995 the FAA issued a Request for Comments on the Proposed FAA Regulatory Review Program (60 FR 44142). The comment period closed on November 22, 1995. Twelve comments were received. The Airport Council International, Bishop International Airport Authority, New Orleans International Airport, National Air Transport Association, Air Transportation Association of America, Regional Airline Association, Air Line Pilots Association, and the American Association of Airport Executives all support a periodic regulatory review program. Aerospace Industries Association, GAMA, and Sue A. Critz do not support the concept.

The Airport Council International endorses the FAA's proposal with a 3-year cycle and a conclusion document containing both summary and disposition. Mr. William C. Sandifer, AAE, Assistant Airport Director—Bishop International Airport Authority also endorses the proposal with the 3-issue limitation. The Assistant Supervisor of Operations, Matthew R. Zaranski, New Orleans International Airport, with his endorsement recommends a bi-annual review process, building an agenda of the most critical items published every year. The National Air Transportation Association generally supports the proposal with a 3-issue limitation, but rather than publishing a document containing a summary of comments, he suggests the FAA should initiate rulemaking to address the significant areas addressed in the comments. Mr. James L. Casey, VP, Air Transportation Association of America and Mr. Rudy Rudolph, AAAE, both support the FAA's proposal. Mr. Rudolph would like to see annual reviews. He feels the rulemaking process should not take so long. With

annual reviews, AAAE believes a priority system could be developed and resources deployed accordingly. Mr. Casey indicates limiting the review to 3 issues every 3 years may not produce an overall perspective.

The Regional Airline Association supports the proposal but would like the limitations expanded to 5 issues. Mr. John O'Brien, Director, Engineering & Air Safety, Airline pilots Association, generally supports the proposal and M. Theresa Coutu, Director, Regulatory Affairs, American Association of Airport Executives, endorses the proposal with the following input. The 3-year review system should not interfere with regulatory obligations, limitations should be expanded to 5 issues, and an annual status document should be processed during the 3-yr. cycle. She also recommends that the Aviation Rulemaking Advisory Committee (ARAC) review all comments as well as the FAA.

Those that did not support the proposal included Robert E. Roberson, Jr. VP, Civil Aviation, Aerospace Industries Association. Mr. Roberson feels ARAC and the petition for rulemaking process are sufficient and does not see an additional review having any added value to the process. Bill Schultz, VP Engineering & Maintenance, GAMA, would like to see more focus on improving the process and reinforces the input that ARAC is already industry's vehicle. He states that with the ARAC vehicle in place, any further process will be labor intensive for already scarce FAA resources. The final commentor, Sue A Critz, CFII, AGC, IGI does not support the FAA's proposal, stating it would create an unusual workload. She offers an alternate plan: A new form created, which the public would complete and return at 6-month intervals, thus creating a 6-month review of comments. On a regular basis, the FAA would formulate rule changes based upon these comments.

Conclusion

After review of all comments, there is general consensus that supports the concept of a review of existing rules on a 3-year cycle rather than on any other basis. Although there were a few suggestions for a 5-year cycle and the issue limitation be expanded to 5 issues, due to time constraint and limited resources, the FAA has determined a 3-issue, 3-year cycle will capture the input it is seeking from the public. A third of the commentors did not address the vehicle for concluding the review. Those who did supported a published summary and general disposition of

comments. This level of review will produce the input and support the agency is seeking, and should not overburden the existing regulatory process and obligations.

Therefore, the FAA has determined there is general support for the agency's plan to conduct periodic reviews of existing regulations as a means to obtain public input to the agency's regulatory agenda and priorities.

FAA Plan for Periodic Regulatory Reviews: Beginning January 1997, and every 3 years thereafter, the FAA will conduct comprehensive regulatory reviews. The review will be initiated with a published announcement in the Federal Register inviting the public to identify those regulations, issues, or subject areas that should be reviewed by the FAA. In order to focus on those areas of greatest interest and to effectively manage agency resources, commentors will be expected to limit their input to the 3 issues they consider most urgent. In addition, the public will be specifically requested to identify rules having a significant impact on small entities that appear to be no longer necessary or that are overlapping, duplicative, or conflicting with other Federal regulations. The FAA will review these rules in accordance with Section 610 of the Regulatory Flexibility Act unless they have already been so reviewed. The FAA will review and analyze the issues addressed by the commentors against its regulatory agenda and rulemaking program efforts, and adjust its regulatory priorities consistent with its statutory authority and responsibilities. Each review will conclude with a published summary and general disposition of the comments and, where appropriate, indicate how regulatory priorities will be adjusted.

Issued in Washington, DC, on September 27, 1996.

Margaret Gilligan,
Deputy Associate Administrator for
Regulation and Certification.

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14 CFR Part 39

[Docket No. 95-CE-84-AD; Amendment 39-9780; AD 96-21-03]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. PA31, PA31P, PA31T, and PA42 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to The New Piper Aircraft, Inc. (Piper) PA31, PA31P, PA31T, and PA42 series airplanes. This action requires inspecting for cracks beneath and in the area of the inboard aileron hinge bracket on the aileron spar and rib using dye penetrant methods, replacing any cracked aileron spar or rib, and replacing the inboard aileron hinge bracket with a hinge bracket of improved design. Several reports of cracks in the vicinity of the inboard aileron hinge bracket, aileron spar, and aileron rib prompted this proposed action. The actions specified by the proposed AD are intended to prevent structural failure of the aileron caused by cracks in the area of the inboard aileron hinge bracket, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Effective December 10, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 10, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Attn: Customer Service, 2926 Piper Dr., Vero Beach, Florida, 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-84-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION:

Events Leading to This Action

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper PA31, PA31P, PA31T, and PA42 series airplanes was published in the Federal Register on March 27, 1996 (61 FR 13468). The action proposed to require:

- inspecting the aileron spar beneath and in the area of the inboard aileron hinge bracket for cracks;
- if cracks are found in the area of the aileron spar, inspecting the aileron rib

for cracks, and replacing the cracked spar assembly and any cracked rib; —replacing the inboard aileron hinge brackets with part number (P/N) 74461-02 (left) and P/N 74461-03 (right).

Related Service Information

Accomplishment of the proposed action would be in accordance with Piper Service Bulletin (SB) No. 967, dated January 24, 1994 or Piper SB No. 974, dated October 19, 1994.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the two comments received.

The first commenter recommends that the AD state specifically that prior compliance with the applicable service bulletin (SB) be considered compliance with the requirements of the AD. The commenter has complied with Piper SB 974 and adds that paragraph (a) should only be required on aircraft that have not installed the redesigned aileron hinge brackets. The commenter continues to state that paragraph (a) as presently worded may be interpreted to require inspection of the aileron spar on all affected aircraft regardless of the part number (P/N) of the inboard hinge installed on the aircraft.

The FAA concurs that additional clarification is justified. The inspection of the aileron spar is intended to be required for aircraft that have not previously installed P/N 74461-02 (left) and P/N 74461-03 (right) inboard hinges. The "Applicability" section in the AD will be changed to state, "The following airplane models and serial numbers that are not equipped with part number (P/N) 74461-02 (left) and P/N 74461-03 (right) inboard aileron hinge brackets, certificated in any category."

The second commenter recommends that the AD be applicable to aircraft with greater than 3,000 hours time-in-service (TIS). This commenter operates Piper airplane Models PA-31-350, a PA-31, and a PA-31P with 11,000, 8,600 and 2,000 hours TIS respectively, and states that based on their fleet experience, cracking is most likely to appear at or after 3,000 hours TIS and recommends the 3,000 hour TIS as the threshold for this AD.

The FAA concurs and points out that the proposed action already proposes what the commenter is recommending. The compliance time as proposed specifies compliance "upon the accumulation of 3,000 hours TIS, or within the next 100 hours TIS, whichever occurs later."