

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**2000-18-10 Kaman Aerospace**

**Corporation:** Amendment 39-11895.

**Docket No.** 2000-SW-32-AD.

**Applicability:** Model K-1200 helicopters, with sprag clutch, part number (P/N) K974110-005, installed, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required within 10 hours time-in-service, unless accomplished previously.

To prevent a malfunctioning transmission clutch, loss of drive to the main rotor system, and subsequent loss of control of the helicopter, accomplish the following:

(a) Replace each sprag clutch, P/N K974110-005, with a sprag clutch, P/N K974110-003. Sprag clutch, P/N K974110-005, is considered unairworthy.

**Note 2:** Kaman Aerospace Corporation Service Bulletin No. 090, dated July 13, 2000, pertains to the subject of this AD.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Regulations Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter, without an external load, to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on September 26, 2000.

Issued in Fort Worth, Texas, on September 1, 2000.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 00-23207 Filed 9-8-00; 8:45 am]

**BILLING CODE 4910-13-U**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 95**

[Docket No. 30177; Amdt. No. 424]

**IFR Altitudes; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace system. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**EFFECTIVE DATE:** 0901 UTC, October 5, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

**The Rule**

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and

efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

**Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 95**

Airspace, Navigation (air).

Issued in Washington, D.C. on August 21, 2000.

**L. Nicholas Lacey,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, October 5, 2000.

1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

2. Part 95 is amended to read as follows:

## REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS

[Effective Date: October 5, 2000]

From			To			MEA	
§ 95.1001 Direct Routes—U.S. Is Amended To Delete							
Gainesville, FL VORTAC ..... *1400—MOCA			Royes, FL FIX .....			*2500	
Craig, FL VORTAC .....			Gainesville, FL VORTAC .....			24000	
From/To		Total distance	Changeover distance	Point from	Track angle	MEA	MAA
§ 95.5000 High Altitude RNAV Routes Is Amended To Delete J814R							
Pantt, AK WP .....		169.3				28000	45000
Felaw, AK WP .....							
Felaw, AK WP .....		212.4	120	FELAW	043/223 to Felaw .....	28000	45000
Jensu, AK WP .....					043/223 to Cop .....		
Jensu, AK WP .....		223.3	102	JENSU	044/224 to Jensu .....	28000	45000
Fairbanks, AK VORTAC .....					044/224 to Cop .....		
					047/227 to Fairbanks.		
From			To			MEA	
Color Routes—							
§ 95.4 Green Federal Airway 8 Is Amended To Read in Part							
Shemya, AK NDB ..... *6,300—MOCA			Mount Moffett, AK NDB/DME .....			*8,000	
HF Communication required							
Mount Moffett, AK NDB/DME ..... *8,000—MOCA			Dutch Harbor, AK NDB/DME .....			*9,000	
HF Communication required							
§ 95.6001 Victor Routes—U.S.							
§ 95.6001 VOR Federal Airway 1 Is Amended To Read in Part							
Rapun, NC FIX ..... *1,600—MOCA			Layze, NC FIX .....			*5,000	
§ 95.6008 VOR Federal Airway 8 Is Amended To Read in Part							
Grand Junction, CO VORTAC .....			Squat, CO FIX .....			10,300	
§ 95.6051 VOR Federal Airway 51 Is Amended To Read in Part							
Louisville, KY VORTAC ..... *2,300—MOCA			NABB, IN VORTAC .....			*10,000	
§ 95.6053 VOR Federal Airway 53 Is Amended To Read in Part							
Louisville, KY VORTAC ..... *3,000—MOCA			House, IN FIX .....			*10,000	
§ 95.6067 VOR Federal Airway 67 Is Amended To Read in Part							
Vandalia, IL VORTAC ..... Cleek, IL FIX .....			Cleek, IL FIX ..... Capital, IL VORTAC .....			2,500 6,000	
§ 95.6134 VOR Federal Airway 134 Is Amended To Read in Part							
Grand Junction, CO VORTAC .....			Paces, CO FIX ..... NE BND ..... SW BND .....			11,000 9,000	
§ 95.6001 VOR Federal Airway 162 Is Amended To Delete							
Martinsburg, WV VORTAC ..... *3900—MOCA			Hyper, MD FIX .....			*5000	
Hyper, MD FIX ..... *3100—MOCA			Harrisburg, PA VORTAC .....			*4000	
§ 95.6162 VOR Federal Airway 162 Is Amended To Read in Part							
Bobss, PA FIX .....			East Texas, PA VORTAC .....			3000	

From		To		MEA	
§ 95.6171 VOR Federal Airway 171 Is Amended To Read in Part					
Louisville, KY VORTAC ..... *3,000—MOCA		Scoto, IN FIX .....		*10,000	
Scoto, IN FIX ..... *3,000—MOCA		Terre Haute, IN VORTAC .....		*4,000	
§ 95.6220 VOR Federal Airway 220 Is Amended To Read in Part					
Grand Junction, CO VORTAC .....		Paces, CO FIX .....		.....	
		NE BND .....		11,000	
		SW BND .....		9,000	
§ 95.6296 VOR Federal Airway 296 Is Amended To Read in Part					
Fayetteville, NC VOR/DME ..... *2,100—MOCA		Rapvy, NC FIX .....		*3,000	
Rapvy, NC FIX ..... *2,100—MOCA		Wilmington, NC VORTAC .....		*5,000	
§ 95.6319 VOR Federal Airway 319 Is Amended To Read in Part					
Arsen, AK FIX ..... *2,000—MOCA		Fanci, AK FIX .....		*4,000	
Hooper Bay, AK VOR/DME .....		Nanwak, AK NDB/DME .....		2,300	
Nanwak, AK NDB/DME .....		Kipnuk, AK VOR/DME .....		2,500	
§ 95.6453 VOR Federal Airway 453 Is Amended To Read in Part					
Bethel, AK VORTAC .....		Unalakleet, AK VORTAC .....		*9,000	
§ 95.6591 VOR Federal Airway 591 Is Amended To Read in Part					
Grand Junction, CO VORTAC .....		Paces, CO FIX .....		11,000	
		NE BND .....		9,000	
		SW BND .....			
From		To		MEA	MAA
§ 95.7001 Jet Routes					
§ 95.7111 Jet Route No. 111 Is Amended To Delete					
Anchorage, AK Vortac .....		Middleton island, AK VOR/DME .....		18000	45000
Middleton Island, AK .....		Snout AK, WP .....		24000	45000
§ 95.7115 Jet Route No. 115 Is Amended To Read in Part					
Shemya, AK NDB .....		Mount Moffett, AK NDB/DME .....		18000	45000
Mount Moffett, AK NDB/DME .....		Dutch Harbor, AK NDB/DME .....		18000	45000
§ 95.7127 Jet Route No. 127 Is Amended To Delete					
Augin, AK FIX .....		King Salmon, AK VOR/DME .....		18000	45000
§ 95.7501 Jet Route No. 501 Is Amended To Delete					
Bethel, AK VORTAC .....		Yearr, AK FIX .....		29000	45000
Yearr, AK FIX .....		Mixer, AK FIX .....		35000	45000
§ 95.7501 Jet Route No. 501 Is Amended To Read in Part					
Vidda, AK FIX .....		Bethel, AK VORTAC .....		18000	45000
§ 95.7511 Jet Route No. 511 Is Amended To Delete					
Encor, AK FIX .....		Dillingham, AK VORTAC .....		28000	45000
From		To		Changeover points	
				Distance	From
§ 95.8003 VOR Federal Airways Changeover Points Airway Segment V453					
Unalakleet, AK VORTAC .....		Bethek, AK VORTAC .....		81	Unalakleet

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## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Regulations No. 4 and 16]

RIN 0960-AF40

#### Supplemental Security Income; Determining Disability for a Child Under Age 18

**AGENCY:** Social Security Administration.

**ACTION:** Final rules.

**SUMMARY:** On February 11, 1997, we published interim final rules with a request for comments to implement the Supplemental Security Income (SSI) childhood disability provisions of sections 211 and 212 of Public Law (Pub. L.) 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. We are now publishing revised final rules in response to public comments. We are also conforming our rules to amendments to Public Law 104-193 made by the Balanced Budget Act of 1997, Public Law 105-33. Finally, we are simplifying and clarifying some rules in keeping with the President's goal of using plain language in regulations.

**DATES:** These rules are effective January 2, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Georgia Myers, Regulations Officer, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, regulations@ssa.gov, (410) 965-3632 or TTY (410) 966-5609 for information about these rules. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet web site, *SSA Online*, at [www.ssa.gov](http://www.ssa.gov).

**SUPPLEMENTARY INFORMATION:** We are revising and making final the interim final rules we published on February 11, 1997, to implement the childhood disability provisions of Public Law 104-193 (62 FR 6408). Even though we published interim final rules in 1997, we asked for public comments on those rules. We are now summarizing and responding to the public comments and making revisions to the interim final rules based on the public comments and on our program experience in applying the interim rules since February 1997. In the final rules, we continue to define the statutory standard of "marked and severe functional limitations" in terms

of marked limitations in two areas of functioning or extreme limitation in one such area. However, we are also making a number of changes to our rules on functional equivalence and "other factors" in response to the comments.

We are also conforming our rules to amendments to Public Law 104-193 made by the Balanced Budget Act of 1997, Public Law 105-33, 111 Stat. 251. Even though the amendments were enacted after we published the interim final rules, the changes are required by the statute and make no discretionary policy changes. We are also simplifying and clarifying the language of some rules in keeping with the President's goal of using plain language in regulations.

A number of individuals who commented on the interim final rules expressed concern that we had not consulted with outside experts in the development of those rules. Given the short time we had under Public Law 104-193 to develop the interim final rules, it was not feasible to engage in the type of consultation the commenters suggested before we published those rules. However, in response to the comments, and to ensure that these final rules are as accurate and inclusive as possible, we asked a number of individual experts for information as we formulated these final rules. The experts included pediatricians, psychologists, and other pediatric specialists, and individual advocates for children with disabilities who have expert knowledge about the SSI program.

#### History

For a detailed history of the childhood disability provisions before the changes made by Public Law 104-193, interested readers may review the preamble to the interim final rules (62 FR 6408). That preamble explains how we first implemented the prior statutory definition of disability for children, based on "comparable severity" to the definition of disability for adults, and the changes we made to our rules in 1991 after the Supreme Court's decision in *Sullivan v. Zebley*, 493 U.S. 521 (1990).

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 110 Stat. 2105, removed the comparable severity standard and provided a new statutory definition of disability for children claiming SSI benefits. It also directed us to make significant changes in the way we evaluate childhood disability claims. Under the law, which created a new section 1614(a)(3)(C) of the Social Security Act (the Act), a child's impairment or combination of

impairments must cause more serious impairment-related limitations than the old law and our prior regulations specified.

Section 1614(a)(3)(C) of the Act provides the following definition of disability for children claiming SSI benefits:

(C)(i) An individual under the age of 18 shall be considered disabled for the purposes of this title if that individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

(ii) Notwithstanding clause (i), no individual under the age of 18 who engages in substantial gainful activity \* \* \* may be considered to be disabled.

The conference report that accompanied Public Law 104-193 explained:

The conferees intend that only needy children with severe disabilities be eligible for SSI, and the Listing of Impairments and other current disability determination regulations as modified by these provisions properly reflect the severity of disability contemplated by the new statutory definition. In those areas of the Listing that involve domains of functioning, the conferees expect no less than two marked limitations as the standard for qualification. The conferees are also aware that SSA uses the term "severe" to often mean "other than minor" in an initial screening procedure for disability determination and in other places. The conferees, however, use the term "severe" in its common sense meaning.

H.R. Conf. Rep. No. 725, 104th Cong., 2d Sess. 328 (1996), *reprinted in* 1996 U.S. Code, Cong. and Ad. News 2649, 2716. The House report contains similar language. See H.R. Rep. No. 651, 104th Cong., 2d Sess. 1385 (1996), *reprinted in* 1996 U.S. Code, Cong. and Ad. News 2183, 2444.

Further provisions concerning childhood disability adjudication are summarized below with references to the relevant sections of Public Law 104-193 and, where appropriate, the Act.

- We were directed to remove references to "maladaptive behavior" in the prior personal/behavioral domain from §§ 112.00C2 and 112.02B2c(2) of the childhood mental disorders listings (Public Law 104-193, section 211(b)(1)).

- We were directed to discontinue the individualized functional assessment (IFA) for children in §§ 416.924d and 416.924e of our former rules, which we had used since 1991 (Pub. L. 104-193, section 211(b)(2)).

- Within 1 year after the date of enactment, we were to redetermine the eligibility of individuals under the age