

to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large California olive handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab/html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 15-day comment period is provided to allow interested persons to respond to this proposed rule. Fifteen days is deemed appropriate because: (1) The 2007 fiscal year began on January 1, 2007, and the marketing order requires that the rate of assessment for each fiscal year apply to all assessable olives handled during such fiscal year; (2) the committee needs sufficient funds to pay its expenses, which are incurred on a continuous basis; and (3) handlers are aware of this action, which was discussed by the committee and unanimously recommended at a public meeting, and is similar to other assessment rate actions issued in past years.

#### List of Subjects in 7 CFR Part 932

Marketing agreements, Olives, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 932 is proposed to be amended as follows:

#### PART 932—OLIVES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 932 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

2. Section 932.230 is revised to read as follows:

#### § 932.230 Assessment rate.

On and after January 1, 2007, an assessment rate of \$47.84 per ton is established for California olives.

Dated: March 1, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7–3936 Filed 3–6–07; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–26598; Directorate Identifier 2006–CE–87–AD]

**RIN 2120–AA64**

#### **Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Models EMB–110P1 and EMB–110P2 Airplanes**

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); reopening of the comment period.

**SUMMARY:** We are revising an earlier NPRM for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

It has been found cases of corrosion at regions of Wings-to-Fuselage attachments, Vertical Stabilizer to Fuselage attachments, Rib 1 Half-wing and Passenger Seat Tracks. Such corrosion may lead to subsequent fatigue cracking of the parts affected, reducing the aircraft structural integrity, which may in turn lead to structural failure and/or loss of some control surface.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by April 6, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- **DOT Docket Web Site:**

Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- **Fax:** (202) 493–2251.

- **Mail:** Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.

- **Hand Delivery:** Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, 901 Locust, Room 301, Kansas City, Missouri, 64106; telephone: (816) 329–4146; fax: (816) 329–4090.

#### SUPPLEMENTARY INFORMATION:

##### Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This proposed AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The proposed AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2006–26598; Directorate Identifier 2006–CE–87–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this

proposed AD because of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

### Discussion

We proposed to amend 14 CFR part 39 with an earlier NPRM for the specified products, which was published in the **Federal Register** on January 8, 2007 (72 FR 678). That earlier NPRM proposed to require actions intended to address the unsafe condition for the products listed above.

Since that NPRM was issued, the FAA has received three verbal comments requesting additional time to comment on the proposed rule. Since the NPRM comment period has already closed, the FAA is granting this extension by reopening the comment period instead of extending the comment period.

### Relevant Service Information

Embraer—Empresa Brasileira de Aeronautica S.A. (EMBRAER) has issued Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

### Comments

We gave the public the opportunity to participate in developing this AD. We received no written comments on the NPRM or on the determination of the cost to the public. We did receive three verbal comments requesting additional time to comment on the proposed rule. Since others may want additional time to comment who did not contact the FAA, we are reopening the comment period for an additional 30 days.

### FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

We have since determined that the scope of the earlier NPRM made it difficult for the public to comment

within the original comment period. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on the proposed AD.

### Differences Between This Proposed AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 42 products of U.S. registry. We also estimate that it would take about 942 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$3,165,120 or \$75,360 per product.

### 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 determined that this proposed AD would not have federalism implications under Executive Order 13132. This

proposed AD would 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 this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the 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 proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 FAA amends § 39.13 by adding the following new AD:

**Empresa Brasileira de Aeronautica S.A. (EMBRAER):** Docket No. FAA-2006-26598; Directorate Identifier 2006-CE-87-AD.

#### Comments Due Date

- (a) We must receive comments by April 6, 2007.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Models EMB-110P1 and EMB-110P2 airplanes, all serial numbers, certificated in any category.

#### Subject

- (d) Air Transport Association of America (ATA) Code 51: Structures.

#### Reason

- (e) The mandatory continuing airworthiness information (MCAI) states: It has been found cases of corrosion at regions of Wings-to-Fuselage attachments, Vertical Stabilizer to Fuselage attachments, Rib 1 Half-wing and Passenger Seat Tracks.

Such corrosion may lead to subsequent fatigue cracking of the parts affected, reducing the aircraft structural integrity, which may in turn lead to structural failure and/or loss of some control surface.

#### Actions and Compliance

(f) Unless already done, do the following actions.

(1) Within the next 30 days or 100 hours time-in-service after the effective date of this AD, whichever occurs first, carry out a general visual inspection (GVI) for corrosion at the regions of the Wings-to-Fuselage attachments, Vertical Stabilizer to Fuselage attachments, Rib 1 Half-wing, and Passenger Seat Tracks, according to Parts I, II, and III of the Embraer—Empresa Brasileira de Aeronautica S.A. (EMBRAER) Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006.

(i) All structures found corroded or cracked as a result of the inspections conducted above, must be addressed prior to further flight in accordance with detailed instructions and procedures described in EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006.

(ii) Previous accomplishment of the EMBRAER Alert Service Bulletin S.B. No.: 110-00-A007, dated March 6, 2006, or the implementation of the tasks above, required by section VI of the Maintenance Planning Guides TP 110P2/145, PM 110/652, or PM 110/165, are considered acceptable methods of compliance with the requirements of (f)(1) of this AD.

(2) Within the next 30 days after the effective date of this AD, accomplish Part IV of the EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006. All structures found corroded or cracked as a result of the inspections conducted above, must be addressed prior to further flight in accordance with detailed instructions and procedures described in EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006.

(3) Within the next 12 months after the effective date of this AD, accomplish Part V of the EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006. All structures found corroded or cracked as a result of the inspections conducted above, must be addressed prior to further flight in accordance with detailed instructions and procedures described in EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006.

**Note 1:** For the purpose of this AD a GVI is: "A visual examination of an interior or exterior area, installation or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance, unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light; and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI National Agency of Civil Aviation (ANAC) AD No.: 2006-10-01, dated October 25, 2006, EMBRAER Service Bulletin S.B. No.: 110-00-0007, dated May 10, 2006, and EMBRAER Alert Service Bulletin S.B. No.: 110-00-A007, dated March 6, 2006 for related information.

Issued in Kansas City, Missouri, on March 1, 2007.

**Kim Smith,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-3987 Filed 3-6-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF STATE

### 22 CFR Part 51

[Public Notice 5712]

**RIN 1400-AC28**

#### Passports

**AGENCY:** Department of State.

**ACTION:** Proposed rule.

**SUMMARY:** The proposed rule would reorganize, restructure, and update the passport regulations contained in 22 CFR part 51 in order to make them easier for the users to access the information, to better reflect current practices and changes in statutory authority, and to remove outdated provisions.

**DATE:** The Department will accept comments on this proposed regulation until May 7, 2007.

**ADDRESSES:** You may submit comments, identified by the following methods (no duplicates, please):

- *Federal eRulemaking Portal:* <http://www.regulations.gov/index.cfm>. Follow the instructions for submitting comments.

- *Electronically:* You may submit electronic comments to: *Comments.22.CFR.Part.51.update@state.gov*. Attachments must be in Microsoft Word.

- *Mail (paper, disk, or CD-ROM submissions):* Comments by mail should be addressed to: Director, Office of Passport Policy, Planning and Advisory Services, Bureau of Consular Affairs, 2100 Pennsylvania Ave., NW., 3rd Floor, Washington, DC 20037, fax (202) 663-2654.

*Instructions:* All submissions must include the Regulatory Identification Number (RIN).

**FOR FURTHER INFORMATION CONTACT:** Consuelo Pachon, Office of Passport Policy, (202) 663-2662. Hearing or speech-impaired persons may use the Telecommunications Devices for the Deaf (TDD) by contacting the Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The Department's Bureau of Consular Affairs is proposing to update and amend its passport regulations in 22 CFR Part 51. Most of the current passport regulations in Part 51 of 22 CFR were issued in 1966, although significant modifications have been made as needed. For example, in recent years the passport regulations have been amended to improve our ability to combat international parental child abduction by requiring that both parents consent to passport issuance to minors under age 14 (with specified exceptions) and to enhance the security of the passport by introducing the electronic passport and eliminating passport amendments. Still, many of the current provisions in Part 51 have not been revised in many years, and the Department believes it useful for them to be modernized and restructured in their entirety.

Accordingly, this proposed rule reorganizes and updates existing passport regulations in order to make them easier for users to access the information, to better reflect current practice and changes in statutory authority, and to remove outdated provisions. In general, the proposed revisions do not mark a departure from current policy. Rather the Department's intent is to bring greater clarity to