

**Credit for Actions Done Using Previous Service Information**

(m) Actions accomplished before the effective date of this AD in accordance with Boeing Service Bulletin 737-28A1263, dated February 19, 2007, are considered acceptable for compliance with the corresponding actions specified in this AD.

**Alternative Methods of Compliance (AMOCs)**

(n)(1) The Manager, Seattle Aircraft Certification Office (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) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(3) AMOCs approved previously in accordance with AD 99-21-15, amendment 39-11360, are approved as AMOCs for the corresponding provisions of this AD.

**Material Incorporated by Reference**

(o) You must use applicable Boeing service bulletins specified in Table 1 of this AD to perform the actions that are required by this AD, unless the AD specifies otherwise.

TABLE 1.—ALL MATERIAL INCORPORATED BY REFERENCE

Service Bulletin	Revision level	Date
Boeing Alert Service Bulletin 737-28A1120, as revised by Notice of Status Change NSC 01, dated May 7, 1998, Notice of Status Change NSC 02, dated May 8, 1998, and Notice of Status Change NSC 03, dated May 9, 1998.	Original .....	April 24, 1998.
Boeing Alert Service Bulletin 737-28A1120 .....	1 .....	May 28, 1998.
Boeing Alert Service Bulletin 737-28A1120 .....	2 .....	November 26, 1998.
Boeing Service Bulletin 737-28A1120 .....	3 .....	April 26, 2001.
Boeing Alert Service Bulletin 737-28A1263 .....	1 .....	March 19, 2007.

(1) The Director of the Federal Register approved the incorporation by reference of Boeing Alert Service Bulletin 737-28A1263, Revision 1, dated March 19, 2007; and Boeing Service Bulletin 737-28A1120, Revision 3, dated April 26, 2001; in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) On November 12, 1999 (64 FR 54763, October 8, 1999), the Director of the Federal Register approved the incorporation by reference of Boeing Alert Service Bulletin 737-28A1120, Revision 2, dated November 26, 1998.

(3) On October 15, 1998 (63 FR 52152, September 30, 1998), the Director of the Federal Register approved the incorporation by reference of Boeing Alert Service Bulletin 737-28A1120, Revision 1, dated May 28, 1998.

(4) On June 29, 1998 (63 FR 34271, June 24, 1998), the Director of the Federal Register approved the incorporation by reference of Boeing Alert Service Bulletin 737-28A1120, dated April 24, 1998, as revised by Notice of Status Change NSC 01, dated May 7, 1998, Notice of Status Change NSC 02, dated May 8, 1998, and Notice of Status Change NSC 03, dated May 9, 1998.

(5) Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, for a copy of this service information. You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on May 2, 2007.

**Ali Bahrami,**

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

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**DEPARTMENT OF JUSTICE****Drug Enforcement Administration****21 CFR Part 1313**

**[Docket No. DEA-292N]**

**RIN 1117-AB06**

**Implementation of the Combat Methamphetamine Epidemic Act of 2005; Notice of Transfers Following Importation or Exportation; Temporary Stay of Certain Provisions**

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Interim final rule with request for comment; temporary stay of provisions.

**SUMMARY:** On April 9, 2007, the Drug Enforcement Administration (DEA) published an Interim Final Rule with Request for Comment in the **Federal Register** (72 FR 17401) implementing the provisions of section 716 of the Combat Methamphetamine Epidemic Act of 2005 (CMEA) (21 U.S.C. 971 as amended), enacted March 9, 2006, which required additional reporting for import, export, and international transactions involving all List I and List II chemicals. Subsequent to publication of the Interim Final Rule, DEA received

both written and verbal comments from the regulated industry requesting the delay of the effective date of the rulemaking to allow industry more time to fully comply with the new provisions. The rule became effective May 9, 2007. After careful consideration of the comments received, DEA is temporarily staying the provisions of the Interim Final Rule with Request for Comment published April 9, 2007, by 30 days, from May 9, 2007 to June 8, 2007.

**DATES:** Effective May 22, 2007, through June 7, 2007, the provisions of 21 CFR 1313.12(c)(1)(ii), 1313.13(c)(5), 1313.16, 1313.17, 1313.26, 1313.27, 1313.32(d), 1313.32(e), and 1313.35 are temporarily stayed.

**FOR FURTHER INFORMATION CONTACT:** Mark W. Caverly, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537 at (202) 307-7297.

**SUPPLEMENTARY INFORMATION:****Background**

On March 9, 2006, the President signed the Combat Methamphetamine Epidemic Act of 2005 (CMEA), which is Title VII of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Pub. L. 109-177). On April 9, 2007, the Drug Enforcement Administration (DEA) published an Interim Final Rule with Request for Comment (72 FR 17401) implementing section 716 of the CMEA. That section addressed the importation, exportation, and international transactions of all List I and List II chemicals. Briefly, section 716 of the CMEA (21 U.S.C. 971 as

amended) extends the current reporting requirements—as well as the current exemption for regular importers and regular customers—to post-import and post-export transactions of List I and List II chemicals. With implementation of the Interim Final Rule with Request for Comment, importers, exporters, brokers, and traders are required to notify DEA, before the transaction is to take place, of certain information regarding their downstream customers. This person is referred to as the “transferee” of the United States importer, exporter, broker or trader. Notification occurs on a new DEA Form 486. If the transferee changes, or the quantity of the chemical is increased after initial notification to DEA, the importer, exporter, broker or trader must file an amended DEA Form 486 with DEA. Within 30 days after the importation, exportation, or international transaction is completed, the importer, exporter, broker, or trader must send DEA a return declaration containing information regarding the transaction. The requirements of section 716 and the implementing regulations were discussed extensively in DEA’s Interim Final Rule with Request for Comment published April 9, 2007. This Interim Final Rule became effective May 9, 2007.

#### Comments Received

Subsequent to publication of the Interim Final Rule, DEA received two written requests for a delay of the effective date of the rule, one from a national chemical association and the other from a large chemical company. Commenters indicated that more time was needed to fully comply with the provisions of the Interim Final Rule. Commenters also sought clarification regarding procedural implementation of the rule. DEA also received verbal communications from other organizations and individual registrants regarding procedural concerns and requests for clarification regarding the rule.

#### Temporary Stay of Provisions

After careful consideration of the concerns expressed by the regulated industry, DEA is temporarily staying certain provisions of the Interim Final Rule with Request for Comment published April 9, 2007. Specifically, DEA is temporarily staying the following provisions:

- The waiver of the 15-day advance notification requirement for importations of a listed chemical for which the importer intends to transfer the listed chemical to a person who is a regular customer of the chemical;

- The requirement that importers, exporters, brokers and traders notify DEA of the transferee of the listed chemical;
- The requirement that importers, exporters, brokers and traders amend the advance notification (DEA Form 486) if the transferee changes or the quantity of the chemical to be transferred increases; and
- The requirement that importers, exporters, brokers and traders file return declarations regarding importations, exportations, and international transactions with DEA.

These provisions are being temporarily stayed until June 8, 2007.

This temporary stay applies only to those provisions implemented by section 716 of CMEA. All other provisions regarding the importation, exportation, and international transactions involving List I and List II chemicals remain in full force and effect.

#### Implementation of the Interim Final Rule Published April 9, 2007

The following implementation guidance is provided pursuant to the temporary stay of 21 CFR 1313.12(c)(1)(ii), 1313.13(c)(5), 1313.16, 1313.17, 1313.26, 1313.27, 1313.32(d), 1313.32(e), and 1313.35.

Effective June 8, 2007, all United States importers, exporters, brokers and traders of List I and List II chemicals must use the revised DEA Form 486 to notify DEA of their imports, exports, and international transactions. This revised form is available on the Diversion Control Program Web site, <http://www.deadiversion.usdoj.gov>.

Persons who submit import, export, and international transaction advance notifications to DEA on the new form prior to June 8, 2007, are not required to provide a return declaration to DEA regarding those transactions.

Effective June 8, 2007, all persons previously granted regular importer status will no longer hold that status. Every import of a List I and List II chemical must be reported to DEA not later than 15 days prior to the proposed importation. This report must include the name of the person to whom the chemical is proposed to be transferred and the amount of the chemical proposed to be transferred. As DEA discussed in the April 9, 2007, Interim Final Rule, DEA will evaluate each proposed importation based not only on the chemical to be imported but on the transferee information supplied by the importer as well. This process will allow for the establishment of regular customer status by transferees of United States importers, and for establishment

of regular importer status by importers importing a specific listed chemical intended for sale to a specific customer.

Effective June 8, 2007, all persons importing, exporting, and conducting international transactions involving List I and List II chemicals must provide return declarations to DEA.

Pursuant to the authority of the Attorney General to promulgate and enforce rules and regulations under the Controlled Substances Act (21 U.S.C. 871(b)), as delegated to the Deputy Assistant Administrator of the Office of Diversion Control by 28 CFR Part 0, Appendix to Subpart R, section 7, effective May 22, 2007, through June 7, 2007, the provisions of 21 CFR 1313.12(c)(1)(ii), 1313.13(c)(5), 1313.16, 1313.17, 1313.26, 1313.27, 1313.32(d), 1313.32(e), and 1313.35 are temporarily stayed.

Dated: May 15, 2007.

**Joseph T. Rannazzisi,**

*Deputy Assistant Administrator, Office of Diversion Control.*

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## DEPARTMENT OF STATE

### 22 CFR Part 126

[Public Notice: 5801]

#### Amendment of the International Traffic in Arms Regulations: Policy With Respect to Somalia

**AGENCY:** Department of State.

**ACTION:** Final rule.

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**SUMMARY:** Notice is hereby given that the Department of State is amending the International Traffic in Arms Regulations (ITAR) regarding Somalia at 22 CFR 126.1 to make it United States policy to consider on a case-by-case basis licenses, or other approvals, for exports of defense articles and defense services destined for Somalia that conform to the provisions of United Nations Security Council resolution 1744, which amends United Nations Security Council resolution 733. The United States will deny licenses, other approvals, exports or imports of defense articles and defense services destined for or originating in Somalia that do not conform to the provisions of the resolution.

**EFFECTIVE DATE:** This rule is effective upon publication of this **Federal Register** Notice.

**ADDRESSES:** Interested parties may submit comments at any time by any of the following methods: