

208(b)(1) and (3), except for waivers to the Secretary of State.

**DATES:** These actions are effective immediately.

*Delegation of Authority:* By virtue of the authority vested in me as Deputy Secretary of State for Management and Resources, including the authorities specified in Delegations of Authority 175 and 245-1, I hereby delegate to the Legal Adviser and the Under Secretary for Management the authority pursuant to 18 U.S.C. 208(b)(1) and (3) to issue waiver determinations with respect to financial interests to Department of State employees, including Seventh Floor principals, regardless of the amount of the affected financial interest. This delegation shall not, however, authorize the issuance of waiver determinations to the Secretary of State.

The Delegation supersedes Delegation of Authority 175-4.

At his or her discretion, the Legal Adviser may refer any waiver request for issuance by the Secretary, the Deputy Secretary, the Deputy Secretary for Management and Resources, or the Under Secretary for Management.

Notwithstanding this delegation of authority, the Secretary, the Deputy Secretary, the Deputy Secretary for Management and Resources, and the Under Secretary for Management may at any time exercise the functions herein delegated.

This delegation of authority shall be published in the **Federal Register**.

Dated: September 29, 2009.

**Jacob J. Lew,**

*Deputy Secretary of State for Management and Resources, Department of State.*

[FR Doc. E9-24541 Filed 10-9-09; 8:45 am]

**BILLING CODE 4710-35-P**

---

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2009-0924]

#### Airport Compliance Program

**AGENCY:** Department of Transportation, Federal Aviation Administration.

**ACTION:** Notice of availability of FAA Order 5190.6B, *Airport Compliance Manual*.

**SUMMARY:** This notice announces the availability of FAA Order 5190.6B, *Airport Compliance Manual*, issued September 30, 2009. Order 5190.6B cancels and replaces Order 5190.6A, *Airport Compliance Requirements*, issued on October 2, 1989. Order 5190.6B provides current guidance to FAA employees on administration and

implementation of the FAA airport compliance program. This program implements FAA's responsibilities for the enforcement of the obligations of airport operators to the United States Government arising from FAA grant agreements and from federal deeds of property for airport use. The order updates cancelled Order 5190.6A by reflecting statutes, policy changes, case decisions and complaint resolution procedural rules issued since 1989 and by including more specific guidance material on a number of compliance subjects. FAA orders are intended for the use of FAA employees.

**DATES:** FAA Order 5190.6B was issued on September 30, 2009 and was effective upon issuance. Comments received by March 31, 2010 will be considered by the agency in a determination whether any further revision of the order is required.

**ADDRESSES:** You can get an electronic copy of FAA Order 5190.6B on the FAA Airports Web site at [http://www.faa.gov/airports/resources/publications/orders/compliance\\_5190.6/](http://www.faa.gov/airports/resources/publications/orders/compliance_5190.6/).

You may send comments identified by Docket Number, FAA-2009-0924 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Fax:* 1-202-493-2251.
- *Hand Delivery:* To Docket Operations, Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590; between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For more information on the notice and comment process, see the **SUPPLEMENTARY INFORMATION** section of this document. Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. For more information, see the Privacy Act discussion in the **SUPPLEMENTARY INFORMATION** section of this document. Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Charles Erhard, Manager, Airport Compliance Division, ACO-100, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-3187; facsimile: (202) 267-5769; e-mail: [charles.erhard@faa.gov](mailto:charles.erhard@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

You can get an electronic copy of this notice and all other documents in this docket using the Internet by:

- (1) Searching the Federal eRulemaking portal (<http://www.regulations.gov/search/>);
- (2) Visiting the FAA's Regulations and Policies web page at [http://www.faa.gov/regulations\\_policies](http://www.faa.gov/regulations_policies).

##### Background

Order 5190.6, *Airport Compliance Requirements*, was issued on August 24, 1973. Order 5190.6 was cancelled and replaced by Order 5190.6A, *Airport Compliance Requirements*, on October 2, 1989. Each of these orders, while it was in effect, served as the handbook or manual for FAA employees responsible for monitoring and enforcing the compliance of airport operators with obligations to the federal government. Those obligations most commonly arise from conditions, or assurances, contained in agreements with the FAA for grants in aid to airports, and from the terms in deeds of property transferred by the federal government for airport use.

The current FAA airport grant program is the Airport Improvement Program (AIP), established by the Airport and Airway Improvement Act of 1982 as amended, 49 U.S.C. 47101 *et seq.* (AAIA). Section 47107 requires the Secretary of Transportation to obtain certain assurances from an airport operator as a condition of receiving a grant under the AIP. The FAA implements this requirement with a standard set of grant assurances for airport sponsors, which can be viewed on the FAA Airports Web site at: [http://www.faa.gov/airports/aip/grant\\_assurances/](http://www.faa.gov/airports/aip/grant_assurances/).

An airport operator may also have Federal obligations under a deed of property transferred under the Surplus Property Act of 1944, as amended, 49 U.S.C. 47151-47153, or the Federal Airports Act of 1946, as amended, 49 U.S.C. 47125.

Since 1989, there have been substantial changes to the laws and policies relating to the Federal obligations of airport operators, and also changes to the procedures for investigating and resolving complaints

over apparent noncompliance. These changes include:

- New statutory direction on airport rates and charges and on the use of airport revenue, 49 U.S.C. 47107(k) through (p), 47129, and 47133.
- The DOT Policy Regarding the Establishment of Airport Rates and Charges in 1996, as partially voided by a decision of the U.S. court of appeals in 1997 and revised by an agency amendment in 2008;
- Rules of Practice for Federally Assisted Airport Enforcement Proceedings, 14 CFR Part 16, issued in 1996;
- The FAA Policy and Procedures Concerning the Use of Airport Revenue, issued in 1999;
- Enactment of 49 U.S.C. 47134, establishing a pilot program for airport privatization;
- More than 105 determinations issued under 14 CFR Part 16 by the FAA Office of Airport Safety and Standards, the Office of Compliance and Operations, and the Associate Administrator for Airports, as well as decisions by the U.S. Court of Appeals on petitions for review of agency determinations.

To incorporate these changes and provide the most useful and current program guidance to agency employees, the Office of Compliance and Field Operations has updated and revised the manual, and issued the new manual as Order 5190.6B on September 30, 2009.

#### Request for Public Comment

Order 5190.6B became effective when issued, and FAA employees are using the order as the primary manual for implementation of the FAA airport compliance program. The FAA expects that future changes to the manual may be necessary to reflect new decisions by federal courts, amendments to the agency's authorizing statutes, and the Associate Administrator for Airports' interpretations of agency policy in case determinations issued under 14 CFR part 16. For that reason the agency plans periodic reviews of the manual, with the first review being approximately one year after the issuance date, in September 2010.

While the FAA generally does not request public comment on internal orders, the agency has established a docket for public comments on Order 5190.6B in recognition of the interest of all segments of the airport community in the FAA's airport compliance program. The agency will consider all comments received by March 31, 2010, in this first review of Order 5190.6B. Comments received after that date may be considered if consideration will not

delay agency action on the review. The purpose of the review will be to ensure that the summaries of agency policy in the order accurately reflect the current legal authorities that define an airport operator's obligations. Comments that address that purpose will be the most useful to the agency in its review.

#### Notice of availability

Order 5190.6B, *Airport Compliance Manual*, issued September 30, 2009 is available for review and downloading from the FAA Airports Web site at: [http://www.faa.gov/airports/resources/publications/orders/compliance\\_5190.6](http://www.faa.gov/airports/resources/publications/orders/compliance_5190.6).

Issued in Washington, DC on October 1, 2009.

**Randall S. Fiertz,**

*Director, Office of Compliance and Field Operations.*

[FR Doc. E9-24627 Filed 10-9-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Certification Guidance for Installation of Non-Essential, Non-Required Aircraft Cabin Systems & Equipment (CS&E), AC 20-XY

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability and request for public comment.

**SUMMARY:** This notice announces the availability of and request for public comments on the proposed new Federal Aviation Administration (FAA) Advisory Circular (AC) 20-XY, Certification Guidance for Installation of Non-Essential, Non-Required Aircraft Cabin Systems & Equipment (CS&E). This AC provides primary certification guidance on how to meet the airworthiness requirements for the installation of non-essential, non-required aircraft cabin systems & equipment (CS&E).

**DATES:** Comments must be received on or before November 27, 2009.

**ADDRESSES:** Send all comments on the proposed new FAA AC 20-XY to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, 950 L'Enfant Plaza, 5th Floor, SW., Washington, DC 20024. ATTN: John Petrakis, AIR-120. You may deliver comments to: Federal Aviation Administration, 950 L'Enfant Plaza, 5th Floor, SW., Washington, DC 20024, or electronically submit comments to the following Internet address: [9-AWA-AVS-AIR120-TechPrograms@faa.gov](mailto:9-AWA-AVS-AIR120-TechPrograms@faa.gov). Include in the

subject line of your message the following: FAA AC 20-XY, Certification Guidance for Installation of Non-Essential, Non-Required Aircraft Cabin Systems & Equipment (CS&E).

**FOR FURTHER INFORMATION CONTACT:** John Petrakis, Senior Aerospace Engineer, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch, AIR-120, 950 L'Enfant Plaza, 5th Floor, SW., Washington, DC 20024. Telephone (202) 385-6341, FAX (202) 385-6475, or e-mail at: [john.petrakis@faa.gov](mailto:john.petrakis@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

You are invited to comment on the draft order listed in this notice by sending such written data, views, or arguments to the above listed address. Please identify "FAA AC 20-XY, Certification Guidance for Installation of Non-Essential, Non-Required Aircraft Cabin Systems & Equipment (CS&E)" as the subject of your comments. You may also examine comments received on the proposals before and after the comment closing date at FAA offices, 950 L'Enfant Plaza, 5th Floor, SW., Washington, DC 20024, weekdays except Federal holidays, between 8:30 a.m. and 4:30 p.m. The Director of the Aircraft Certification Service will consider all communications received on or before the closing date before issuing the final document.

##### Background

The FAA developed this new AC 20-XY with direct industry assistance through RTCA, Inc., Special Committee 210 (SC-210). This proposed AC will provide airworthiness certification guidance for the installation of non-essential, non-required aircraft cabin systems & equipment (CS&E). The proposed AC 20-XY incorporates the guidance in RTCA, Inc. document RTCA/DO-313, *Certification Guidance for Installation of Non-Essential, Non-Required Aircraft Cabin Systems & Equipment*, dated October 2, 2008. This AC will cancel AC 25-10, *Guidance for Installation of Miscellaneous, Nonrequired Electrical Equipment*, dated March 6, 1987.

##### How To Obtain Copies

You can get an electronic copy via the Internet at [http://www.faa.gov/aircraft/draft\\_docs/](http://www.faa.gov/aircraft/draft_docs/), and then select Advisory Circulars, or by contacting the person named in the paragraph **FOR FURTHER INFORMATION CONTACT**.