

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 airworthiness directive (AD):

Eagle Aircraft (Malaysia) SdN. Bhd.: Docket No. FAA-2004-19897; Directorate Identifier 2004-CE-45-AD

When Is the Last Date I Can Submit Comments on This Proposed AD?

(a) We must receive comments on this proposed airworthiness directive (AD) by February 11, 2005.

What Other ADs Are Affected by This Action?

(b) None.

What Airplanes Are Affected by This AD?

(c) This AD affects Model Eagle 150B airplanes, manufacturer serial numbers (MSN) 016 through 042, that are:
 (1) Equipped with a co-pilot rudder pedal assembly welded design, part number (P/N) 2720D07-02; and

(2) Certificated in any category.

What Is the Unsafe Condition Presented in This AD?

(d) This AD results from mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Malaysia. We are issuing this AD to prevent binding of the co-pilot rudder pedal assembly due to premature wear of the bushing, which could result in loss of co-pilot rudder and brake control. This failure could result in loss of control of the airplane.

What Must I Do To Address This Problem?

(e) To address this problem, you must do the following, unless already done:

Actions	Compliance	Procedures
(1) Inspect the co-pilot rudder pedal assembly welded design, part number (P/N) 2720D07-02, for cracks. (i) If cracks are found, replace the assembly with a new bolted design co-pilot rudder pedal assembly, P/N 2720D07-10. (ii) If no cracks are found, either: (A) Modify P/N 2720D07-02 by replacing the rudder control bushing with a new P/N 2720D08-39 and installing a rudder control stopper, P/N 2720D08-44; or (B) Replace P/N 2720D07-02 with a new bolted design co-pilot rudder pedal assembly, P/N 2720D07-10. (2) Do not install a co-pilot rudder pedal assembly, P/N 2720D07-02, unless it has been inspected and modified as required in paragraphs (e)(1) and (e)(1)(ii)(A) of this AD.	Inspect within 30 days after the effective date of this AD. If cracks are found during the inspection, before further flight replace the rudder pedal assembly. If no cracks are found during the inspection, before further flight, modify or replace the rudder pedal assembly. As of the effective date of this AD	To inspect and modify the rudder pedal assembly, follow Eagle Aircraft Optional Service Bulletin SB 1096, dated September 16, 2003. To replace the rudder pedal assembly, follow Eagle Aircraft Optional Service Bulletin SB 1097, dated September 16, 2003. Not applicable.

May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Karl Schletzbaum, Aerospace Engineer, Small Airplane Directorate, ACE-112, 901 Locust, Rm 301, Kansas City, Missouri, 64106; telephone: (816) 329-4146; facsimile: (816) 329-4149.

What if I Need To Fly the Airplane To Another Location to Comply With This AD?

(g) The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD provided that the following is adhered to:

- (1) Remove the co-pilot rudder pedal assembly, P/N 2720D07-02, from installation following Eagle Aircraft Mandatory Service Bulletin SB 1095, dated September 16, 2003; and
- (2) Install a temporary placard in a visible place on the instrument panel that has the following wording:

“WARNING: CO-PILOT RUDDER PEDAL IS NON-FUNCTIONAL.”

Is There Other Information That Relates to This Subject?

(h) Malaysia CAM AD 002-10-2004, Issue date: October 30, 2004, also addresses the subject of this AD.

May I Get Copies of the Documents Referenced in This AD?

(i) To get copies of the documents referenced in this AD, contact Eagle Aircraft, P.O. Box 1028, Pejabat Pos Besar, Melaka, Malaysia, 75150; telephone: 011 (606) 317-4105; facsimile: 011 (606) 317-7213. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC, or on the Internet at <http://dms.dot.gov>. This is docket number FAA-2004-19897.

Issued in Kansas City, Missouri, on January 5, 2005.

William J. Timberlake,
Acting Manager, Small Airplane Directorate, Aircraft Certification Service.
 [FR Doc. 05-606 Filed 1-11-05; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of the Census

15 CFR Part 30

[Docket Number 041029301-4301-01]

RIN 0607-AA44

Requirement for Reporting the Kimberley Process Certificate Number for Exports (Reexports) of Rough Diamonds

AGENCY: Bureau of the Census, Commerce Department.

ACTION: Notice of proposed rulemaking and request for comments.

SUMMARY: The U.S. Census Bureau (Census Bureau) proposes to amend the Foreign Trade Statistics Regulations (FTSR) to incorporate the requirement for reporting the Kimberley Process Certificate (KPC) number for the exports (reexports) of rough diamonds filed through the Automated Export System (AES) in accordance with the Clean Diamond Trade Act. This rule would serve to carry out the purposes of Executive Order 13312 of July 29, 2003, which implemented the Clean Diamond Trade Act and the Kimberley Process

Certification Scheme in the United States.

DATES: Submit written comments on or before February 11, 2005.

ADDRESSES: Please direct all written comments on this proposed rule to the Director, U.S. Census Bureau, Room 2049, Federal Building 3, Washington, DC 20233. You may also submit comments, identified by RIN number, to the Federal e-Rulemaking Portal: <http://www.regulations.gov>. Please follow the instructions at that site for submitting comments.

FOR FURTHER INFORMATION CONTACT: C. Harvey Monk, Jr., Chief, Foreign Trade Division, U.S. Census Bureau, Room 2104, Federal Building 3, Washington, DC 20233-6700, by phone at (301) 763-2255, by fax at (301) 457-2645, or by e-mail: c.harvey.monk.jr@census.gov.

SUPPLEMENTARY INFORMATION:

Background

On July 29, 2003, the President issued Executive Order 13312, which implemented Public Law 108-19, known as the Clean Diamond Trade Act (the Act). The Act implemented the Kimberley Process in the United States by authorizing the President to prohibit the importation into or the exportation from the United States of any rough diamond, from whatever source, unless the rough diamond is controlled through the Kimberley Process Certification Scheme, as defined in the Act. This means shipments of rough diamonds between the United States and nonparticipants in the Kimberley Process are prohibited, and shipments between the United States and participants are permitted only if they are handled in accordance with the standards, practices, and procedures of the Kimberley Process set forth in the Rough Diamonds Control Regulations, 31 CFR part 592, promulgated by the Department of the Treasury's Office of Foreign Assets Control (OFAC) (see 69 FR 56936 dated September 23, 2004).

Section 6 of the Act names the Census Bureau as the exporting authority for the United States. This requires the Census Bureau to validate the KPC for exports of rough diamonds. The KPC is a forgery-resistant document of a participant nation or entity that demonstrates that an exportation of rough diamonds has been controlled through the Kimberley Process and contains the minimum elements required by OFAC regulations (31 CFR part 592). Each KPC is assigned an identification number called the KPC number.

To comply with the requirements of the Act, the Census Bureau amended the

FTSR on October 20, 2003, to incorporate requirements for the mandatory electronic filing via the AES of exports of rough diamonds. The Census Bureau proposes to amend the FTSR to require the reporting through AES of the KPC number found on the KPC for all exports of rough diamonds classified under Harmonized System subheadings 7102.10, 7102.21, and 7102.31. This requirement will not affect filers of Shipper's Export Declarations since all exports of rough diamonds are required to be filed through the AES.

Shipments of rough diamonds from the United States must also meet additional Department of the Treasury requirements identified in the Office of Foreign Assets Control's Rough Diamonds Control Regulations, Title 31, CFR, Part 592.

To further the implementation of the Clean Diamonds Trade Act and Executive Order 13312, which implements the Act, the Census Bureau proposes to amend § 30.63 of the FTSR to specify the requirement for reporting the KPC number via the AES for exports of rough diamonds.

The Departments of State, the Treasury, and Homeland Security concur with the provisions contained in this notice of proposed rulemaking.

Rulemaking Requirements

Regulatory Flexibility Act

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this rule will not have significant impact on a substantial number of small entities. This action would require that U.S. Principal Parties in Interest (USPPIs) or authorized agents in the United States report the KPC number along with current data filing requirement to the AES. Only those USPPIs or agents filing information on exports of rough diamonds would be required to report the KPC number. The SBA's table of size standards indicates that businesses that are the USPPI or authorized agent and file export information are considered small businesses if they employ less than 500 people.

The Census Bureau estimates that approximately 1,600 shipments of rough diamonds classified under Harmonized System subheadings 7102.10, 7102.21, and 7102.31 were exported from the United States in 2003. There were on average 47 exporters exporting rough diamonds each month during 2003. This number of exporters reflects those companies that actually exported rough

diamonds. We do not know the total population of exporters of rough diamonds. Of the total number of rough diamond exporters, the number that are small entities also is unknown. The Census Bureau estimates that it will take 7 seconds to report the KPC number in AES, which is 10 total burden hours on all exporters. Because the new requirement imposes only a small burden on affected entities, this rule would not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required and has not been prepared.

Executive Orders

This rule has been determined to be not significant for purposes of Executive Order 12806. It has been determined that this rule does not contain policies with Federalism implications as that term is defined under Executive Order 13132.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a current, valid Office of Management and Budget (OMB) control number. This rule contains a collection-of-information subject to the requirements of the PRA (44 U.S.C. 3501 *et seq.*) and that has been approved under OMB control number 0607-0152. Since the KPC number is readily available to the exporting company and the number of exporting companies affected by this revision is small, there will only be a minimal net increase (estimated at 10 total burden hours) in respondent burden. We will request OMB to approve this respondent burden increase.

List of Subjects in 15 CFR Part 30

Economic statistics, Foreign trade, Exports, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, Title 15 CFR part 30, is proposed to be amended as follows:

PART 30—FOREIGN TRADE STATISTICS

1. The authority citation for part 30 continues to read as follows:

Authority: 5 U.S.C. 301; 13 U.S.C. 301-307; 19 U.S.C. 3901-3913; Reorganization Plan 5 of 1950 (3 CFR 1949-1953 Comp., 1004); E.O. 13312; and Department of Commerce Organization Order No. 35-2A,

July 22, 1987, as amended, and No. 35-2B, December 20, 1996, as amended.

Subpart E—Electronic Filing Requirements—Shipper’s Export Information

2. In § 30.63, add a paragraph (b)(22) to read as follows:

§ 30.63 Information required to be reported electronically through AES (data elements).

* * * * *

(b) * * *

(22) *Kimberley Process Certificate (KPC) number.* The unique identifying number of the KPC issued by the United States Kimberley Process Authority that must accompany any export shipment of rough diamonds. Rough diamonds are classified under 6-digit Harmonized System subheadings 7102.10, 7102.21, and 7102.31. Enter the KPC number in the license number field excluding the 2-digit U.S. ISO country code.

* * * * *

Dated: January 7, 2005.

Charles Louis Kincannon,

Director, Bureau of the Census.

[FR Doc. 05-597 Filed 1-11-05; 8:45 am]

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FEDERAL TRADE COMMISSION

16 CFR Chapter I

Notice of Intent To Request Public Comments

AGENCY: Federal Trade Commission.

ACTION: Notice of intent to request public comments.

SUMMARY: As part of its ongoing systematic review of all Federal Trade Commission rules and guides, the Commission gives notice that, during 2005, it intends to request public comments on the two rules listed below. The Commission will request comments on, among other things, the economic impact of, and the continuing need for, the rules; possible conflict between the rules and state, local, or other federal laws or regulations; and the effect on the rules of any technological, economic, or other industry changes. No Commission determination on the need for or the substance of the rules should be inferred from the intent to publish request for comments. In addition, the Commission announces a revised 10-year regulatory review schedule.

FOR FURTHER INFORMATION CONTACT: Further details may be obtained from the contract person listed for the particular rule.

SUPPLEMENTARY INFORMATION: The Commission intends to initiate a review of and solicit public comments on the following rules during 2005:

(1) Children’s Online Privacy Protection Rule, 16 CFR part 312. Agency Contracts: Karen Muoio, (202) 326-2491, and Rona Kelner, (202) 326-2752, Federal Trade Commission, Bureau of Consumer Protection, Division of Advertising Practices, 600 Pennsylvania Ave., NW., Washington, DC 20580.

(2) Deceptive Advertising as to Sizes of Viewable Pictures Shown by Television Receiving Sets Rule, 16 CFR part 410. Agency Contact: Neil Blickman, (202) 326-3038, Federal Trade Commission, Bureau of Consumer Protection, Division of Advertising Practices, 600 Pennsylvania Ave., NW., Washington, DC 20580.

As part of its ongoing program to review all current Commission rules and guides, the Commission also has tentatively scheduled reviews of other rules and guides for 2006 through 2015. A copy of this tentative schedule is appended. The Commission, in its discretion, may modify or reorder the schedule in the future to incorporate new legislative rules, or to respond to external factors (such as changes in the law) or other considerations.

Authority: 15 U.S.C. 41-58.

By direction of the Commission.

Donald S. Clark,
Secretary.

APPENDIX

REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE

16 CFR Part	Topic	Year to review
18	Guides for the Nursery Industry	2006
311	Recycled Oil Rule	2006
444	Credit Practices Rule	2006
455	Used Car Rule	2006
24	Guides for Select Leather and Imitation Leather Products	2007
435	Mail or Telephone Order Merchandise Rule	2007
500	Regulations Under Section 4 of the Fair Packaging and Labeling Act (FPLA)	2007
501	Exemptions from Part 500 of the FPLA	2007
502	Regulations Under Section 5(C) of the FPLA	2007
503	Statements of General Policy or Interpretations Under the FPLA	2007
424	Retail Food Store Advertising and Marketing Practices Rule	2008
305	Appliance Labeling Rule	2008
306	Automotive Fuel Ratings, Certification and Posting Rule	2008
429	Cooling Off Rule	2008
601	Summary of Consumer Rights, Notice of User Responsibilities, and Notice of Furnisher Responsibilities under the Fair Credit Reporting Act.	2008
254	Guides for Private Vocational and Distance Education Schools	2009
260	Guides for the use of Environmental Marketing Claims	2009
300	Rules and Regulations under the Wool Products Labeling Act	2009
301	Rules and Regulations under the Fur Products Labeling Act	2009
303	Rules and Regulations under the Textile Fiber Products Identification Act	2009
425	Rule Concerning the Use of Negative Option Plans	2009
239	Guides for the Advertising of Warranties and Guarantees	2010
433	Preservation of Consumers’ Claims and Defenses Rule	2010
700	Interpretations of Magnuson-Moss Warranty Act	2010
701	Disclosure of Written Consumer Product Warranty Terms and Conditions	2010
702	Pre-sale Availability of Written Warranty Terms	2010
703	Informal Dispute Settlement Procedures	2010