

**Criteria for Overhauled 2nd Stage Turbines**

(k) Do the following to overhauled 2nd stage turbines, referenced in paragraphs (i) and (j) of this AD:

(1) You must install new blades in the 2nd stage turbines of overhauled Arriel 1D and 1D1 engines.

(2) You may install either overhauled or new blades in the 2nd stage turbines of overhauled Arriel 1B engines.

**Relative Position Check Continuing Compliance Requirements**

(l) All 2nd stage turbines, including those that are new or overhauled, must continue to comply with relative position check requirements of paragraphs (f) and (j) of this AD.

**Alternative Methods of Compliance**

(m) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

**Related Information**

(n) DGAC airworthiness directive F-2004-047 R1, dated October 26, 2005, also addresses the subject of this AD.

**Material Incorporated by Reference**

(o) You must use the service information specified in Table 2 of this AD to perform the actions required by this AD. The Director of the **Federal Register** previously approved the incorporation by reference of the documents

listed in Table 2 of this AD in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of February 28, 2006 (71 FR 3754, January 24, 2006). Contact Turbomeca, 40220 Tarnos, France; telephone +33 05 59 74 40 00, fax +33 05 59 74 45 15, for a copy of this service information. You may review copies at the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001, on the Internet at <http://dms.dot.gov>, 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>.

TABLE 2.—INCORPORATION BY REFERENCE

Turbomeca mandatory alert service bulletin No.	Page	Update No.	Date
A292 72 0807, Total Pages: 17 .....	ALL .....	Original .....	March 24, 2004.
A292 72 0809, Total Pages: 18 .....	ALL .....	1 .....	October 4, 2005.
A292 72 0810, Total Pages: 14 .....	ALL .....	Original .....	March 24, 2004.

Issued in Burlington, Massachusetts, on April 11, 2006.

**Francis A. Favara,**

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. E6-5646 Filed 4-14-06; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**15 CFR Part 700**

[Docket No. 060215037-6037-01]

**Defense Priorities and Allocations System (DPAS): Metalworking Machines**

**AGENCY:** Bureau of Industry and Security, U.S. Department of Commerce.

**ACTION:** Notice of inquiry.

**SUMMARY:** The Bureau of Industry and Security (BIS) is seeking public comments on the impact of the Defense Priorities and Allocations System (DPAS) set-aside for metalworking machines on industry (15 CFR 700.31). This notice of inquiry is part of an effort to collect information to assist in the preparation of revisions to the DPAS regulation (15 CFR part 700), including the possible elimination of the metalworking machines set-aside.

**DATES:** Comments must be received by May 17, 2006.

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

- *E-mail:* [DPAS@bis.doc.gov](mailto:DPAS@bis.doc.gov). Include the phrase "Metalworking Machines Notice of Inquiry" in the subject line;

- *Fax:* (202) 482-5650 (Attn: Michael Vaccaro);

- *Mail or Hand Delivery/Courier:* Michael Vaccaro, U.S. Department of Commerce, Bureau of Industry and Security, Office of Strategic Industries and Economic Security, 1401 Constitution Avenue, NW., Room 3876, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Liam McMenamin, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, Phone: (202) 482-2233.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under Title I of the Defense Production Act of 1950, as amended, (50 U.S.C. App. 2061, *et seq.*), the President is authorized to require preferential acceptance and performance of contracts or orders supporting certain approved national defense and energy programs, and to allocate materials, services, and facilities in such a manner as to promote these approved programs. Additional priorities authority is found in section 18 of the Selective Service Act of 1948 (50 U.S.C. App. 468), 10 U.S.C. 2538, and 50 U.S.C. 82. DPAS authority has also been extended to support emergency preparedness activities under Title VI of the Robert T. Stafford Disaster Relief Act and Emergency Assistance Act, as amended (45 U.S.C. 5914, *et seq.*) The President delegated DPAS authority to the Department of Commerce in Executive Order 12919 (June 3, 1994), and it was

subsequently redelegated to the Bureau of Industry and Security.

Originally published in 1984, the DPAS regulation was revised on June 11, 1998 (63 FR 31918) to update, streamline, and clarify a number of provisions. Allocations rules like the DPAS (*i.e.*, controlled materials programs) were established in response to previous periods of national security emergency such as the Second World War and the Korean conflict to assure the availability of any scarce and critical item for approved programs. The basic elements of the controlled materials programs were set-asides (the amount of an item for which a producer or supplier must reserve order-book space in anticipation of the receipt of rated orders), production directives (requiring a producer to supply a specific quantity, size, shape, and type of an item within a specific time period), and allotments (the maximum quantity of an item authorized for use in a specific program or application).

**Discussion and Request for Comments**

Currently, the DPAS regulation includes a set-aside that applies to metalworking machines. Section 700.31 of the DPAS regulation states as follows:

"(c) A metalworking machine producer is not required to accept DO rated orders calling for delivery in any month of a total quantity of any size of machine in excess of 60 percent of scheduled production of that size of machine for that month, or any DO rated orders received less than three months prior to the beginning of the month for which delivery is requested. However, DX rated orders must be accepted without regard to a set-aside or the lead time, if delivery can be made by the required date."

In pursuit of the DPAS mission, the Department of Commerce endeavors to minimize disruptions to the normal commercial activities of industry. In an effort to streamline the DPAS regulation, BIS is seeking comment on the impact of the DPAS's set-aside for metalworking machines on industry and the effect on industry of the possible elimination of this set-aside.

#### Submission of Comments

All comments must be submitted to the address indicated in this notice. The Department requires that all comments be submitted in written form.

The Department encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close on May 17, 2006. The Department will consider all comments received before the close of the comment period. Comments received after the end of the comment period will be considered, if possible, but their consideration cannot be assured. Anyone submitting business confidential information should clearly identify the business confidential portion of the submission and also provide a non-confidential submission that can be placed in the public record. The Department will seek to protect such information to the extent permitted by law. All comments submitted in response to this notice will be made a matter of public record and will be available for public inspection and copying.

The Office of Administration, Bureau of Industry and Security, U.S. Department of Commerce, displays public comments on the BIS Freedom of Information Act (FOIA) Web site at <http://www.bis.doc.gov/foia>. This office does not maintain a separate public inspection facility. If you have technical difficulties accessing this Web site, please call BIS's Office of Administration at (202) 482-1900 for assistance.

Dated: April 11, 2006.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

[FR Doc. E6-5649 Filed 4-14-06; 8:45 am]

**BILLING CODE 3510-33-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### 23 CFR Part 635

[FHWA Docket No. FHWA-FHWA-2006-23552]

RIN 2125-AF18

#### Construction and Maintenance

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); request for comments.

**SUMMARY:** The FHWA proposes to revise certain provisions in 23 CFR part 635 subpart D to address section 5514 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) that requires the FHWA to ensure that the States provide for competition with respect to the specification of alternative types of culvert pipes. This action is in addition to the FHWA's guidance memoranda previously issued on this subject.

**DATES:** Comments must be received on or before June 16, 2006.

**ADDRESSES:** Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, or submit electronically at <http://dmses.dot.gov/submit> or fax comments to (202) 493-2251.

Alternatively, comments may be submitted via the eRulemaking Portal at <http://www.regulations.gov>. All comments should include the docket number that appears in the heading of this document. All comments received will be available for examination and copying at the above address from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard or you may print the acknowledgment page that appears after submitting comments electronically. Anyone is able to search the electronic form on all documents received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (Volume 65, Number 70, Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gerald Yakowenko, Office of Program Administration, (202) 366-1562 or Mr.

Michael Harkins, Office of the Chief Counsel, (202) 366-4928, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

You may submit or retrieve comments online through the Document Management System (DMS) at: <http://dmses.dot.gov/submit>. The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site. An electronic copy of this document may also be downloaded by using the Internet to reach the Office of the Federal Register's Home page at: <http://www.archives.gov> or the Government Printing Office's Web page at: <http://www.access.gpo.gov/nara>.

##### Background

On May 11, 2005, the FHWA issued a policy memorandum to clarify the interpretation of our material or product selection policy regarding culvert pipes. Titled "Guidance on Pipe Selection,"<sup>1</sup> this memorandum stated that 23 CFR 635.411(d), Appendix A was not intended to limit or restrict the use of certain pipe materials in specific drainage installations, nor was it intended to prohibit the specifying of alternative materials when the appendix did not require it. The FHWA stated that it would consider further policy changes to clarify this issue following the enactment of reauthorization legislation.

On August 10, 2005, the President signed the SAFETEA-LU (Pub. L. 109-59; Aug. 10, 2005). Section 5514 of the SAFETEA-LU titled "Competition for Specification of Alternative Types of Culvert Pipes," requires the Secretary of Transportation to ensure that States provide for competition with respect to the specification of alternative types of culvert pipes through requirements that are commensurate with competition requirements for other construction materials. This section requires the Secretary to accomplish this action not later than 180 days after the enactment of SAFETEA-LU (or by February 6, 2006).

On October 6, 2005, the FHWA issued a memorandum titled "SAFETEA-LU

<sup>1</sup> See memorandum titled: "Guidance on Pipe Selection," dated May 11, 2005, which is available on the FHWA's home page: <http://www.fhwa.dot.gov/programadmin/contracts/051105.cfm>.