

confidence in the impartiality and objectivity with which the FDIC's programs are administered. A waiver under this paragraph may impose appropriate conditions, such as requiring execution of a written disqualification.

■ 4. Section 3201.103 is revised to read as follows:

**§ 3201.103 Prohibition on acquisition, ownership, or control of securities of FDIC-insured depository institutions and certain holding companies.**

(a) *Prohibition on acquisition, ownership, or control.* Except as provided in paragraph (b) of this section, no employee, spouse of an employee, or minor child of an employee may acquire, own, or control, directly or indirectly, a security of any of the following:

(1) A bank or savings association that is insured by the Federal Deposit Insurance Corporation (FDIC);

(2) A bank holding company that is subject to supervision by the Federal Reserve Board (FRB);

(3) A savings and loan holding company that is subject to supervision by the Office of Thrift Supervision (OTS);

(4) A financial holding company that is subject to FRB supervision; or

(5) A company that:

(i) Owns or controls an FDIC-insured bank or savings association;

(ii) Is neither an FRB-supervised bank holding company, an OTS-supervised savings and loan holding company, nor an FRB-supervised financial holding company; and

(iii) Is either primarily engaged in banking or not publicly traded on a U.S. securities exchange.

(b) *Exceptions.* Notwithstanding the prohibitions of paragraph (a) of this section, but subject to the limitations of paragraph (c) of this section, an employee, or the spouse or minor child of an employee, may do any or all of the following:

(1) Acquire, own, or control the securities of a unitary thrift holding company (i.e., a savings and loan holding company that is subject to OTS supervision but whose principal business is neither banking nor activities closely related to banking);

(2) Own or control a security of an entity described in paragraph (a) of this section if the security was permitted to be retained by the employee under 12 CFR part 336 prior to May 25, 1995, was obtained prior to commencement of employment with the Corporation, or was acquired by a spouse prior to marriage to the employee;

(3) Own, or control a security of an entity described in paragraph (a) of this section if:

(i) The security was acquired by inheritance, gift, stock-split, involuntary stock dividend, merger, acquisition, or other change in corporate ownership, exercise of preemptive right, or otherwise without specific intent to acquire the security, or, by an employee's spouse or minor child as part of a compensation package in connection with his or her employment;

(ii) The employee makes full, written disclosure on FDIC form 2410/07 to the Ethics Counselor within 30 days of the commencement of employment or the acquisition of the interest; and

(iii) The employee is disqualified in accordance with 5 CFR part 2635, subpart D, from participating in any particular matter that affects his or her financial interests, or that of his or her spouse or minor child;

(4) Acquire, own, or control an interest in a publicly traded or publicly available investment fund provided that, upon initial or subsequent investment by the employee (excluding ordinary dividend reinvestment), the fund does not have invested, or indicate in its prospectus the intent to invest, more than 30 percent of its assets in the securities of one or more entities described in paragraph (a) of this section and the employee neither exercises control nor has the ability to exercise control over the financial interests held in the fund; and

(5) Use an FDIC-insured depository institution or an affiliate of an FDIC-insured depository institution as custodian or trustee of accounts containing tax-deferred retirement funds.

(c) *Divestiture.* Based upon a determination of substantial conflict under 5 CFR 2635.403(b), the Ethics Counselor may require an employee, or the spouse or minor child of an employee, to divest a security he or she is otherwise authorized to acquire, own, control, or use under paragraph (b) of this section.

(d) *Waiver.* The Ethics Counselor may grant a written waiver from any provision of this section based on a determination made with the advice and legal clearance of the Legal Division that the waiver is not inconsistent with part 2635 of this title or otherwise prohibited by law, and that, under the particular circumstances, application of the prohibition is not necessary to avoid the appearance of misuse of position or loss of impartiality, or otherwise to ensure confidence in the impartiality and objectivity with which the FDIC's programs are administered. A waiver

under this paragraph may impose appropriate conditions, such as requiring execution of a written disqualification.

By order of the Board of Directors.

Dated at Washington, DC, this 20th day of March, 2007.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

Approved: April 10, 2007.

**Robert I. Cusick,**

*Director, Office of Government Ethics.*

[FR Doc. E7-7377 Filed 4-17-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27898; Directorate Identifier 2007-NM-078-AD; Amendment 39-15029; AD 2007-07-05 R1]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 777 Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is revising an existing airworthiness directive (AD), which applies to all Boeing Model 777 airplanes. That AD currently requires a one-time inspection to determine the part number of the left and right air supply and cabin pressure controllers (ASCPCs), and installation of new ASCPC software if necessary. This AD requires those same actions. This AD also revises the existing AD to allow installation of an ASCPC with additional versions of software installed and to correct a part number reference. This AD results from a report of an ASCPC failure during flight. We are issuing this AD to prevent an ASCPC failure that could stop airflow into the airplane, inhibit the cabin altitude warning message, and cause an incorrect display of cabin altitude. These failures could result in depressurization of the airplane without warning.

**DATES:** The effective date of this AD is April 18, 2007.

On April 18, 2007 (72 FR 15820, April 3, 2007), the Director of the Federal Register approved the incorporation by reference of Boeing Service Bulletin 777-36A0026, Revision 1, dated February 8, 2007.

We must receive any comments on this AD by June 18, 2007.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD:

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

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

- *Fax:* (202) 493-2251.

- *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.

Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** David Webber, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6451; fax (425) 917-6590.

#### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

On March 21, 2007, we issued AD 2007-07-05, amendment 39-15010 (72 FR 15820, April 3, 2007). That AD applies to all Boeing Model 777 airplanes. That AD requires a one-time inspection to determine the part number of the left and right air supply and cabin pressure controllers (ASCPCs), and installation of new ASCPC software if necessary. That AD resulted from a report of an ASCPC failure during flight. The actions specified in that AD are intended to prevent an ASCPC failure that could stop airflow into the airplane, inhibit the cabin altitude warning message, and cause an incorrect display of cabin altitude. These failures could result in depressurization of the airplane without warning.

#### **Actions Since AD Was Issued**

Since we issued that AD, we have determined that additional versions of the ASCPC software should be permitted. In paragraph (i) of that AD ("Installation of Certain OPS Software Prohibited"), we cited a specific part number of operational program software (OPS) that must be installed in ASCPCs before they can be installed on any

airplane as of the effective date of that AD. By citing that specific part number, we inadvertently prohibited use of later, acceptable versions of the OPS. This was not our intent.

We have also determined that, in that same paragraph, there is a typographical error resulting in an incorrect ASCPC part number.

#### **FAA's Determination and Requirements of This AD**

The unsafe condition described previously is likely to exist or develop on other airplanes of the same type design. For this reason, we are issuing this AD to revise AD 2007-07-05. This new AD retains the requirements of the existing AD. This AD also revises the existing AD to allow installation of an ASCPC with additional versions of software installed and to correct a part number reference.

#### **FAA's Determination of the Effective Date**

An unsafe condition exists that requires the immediate adoption of this AD; therefore, providing notice and opportunity for public comment before the AD is issued is impracticable, and good cause exists to make this AD effective in less than 30 days.

#### **Comments Invited**

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any relevant written data, views, or arguments regarding this AD. Send your comments to an address listed in the **ADDRESSES** section. Include "Docket No. FAA-2007-27898; Directorate Identifier 2007-NM-078-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD that might suggest a need to modify it.

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 with FAA personnel concerning this AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

#### **Examining the Dockets**

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

#### **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 have determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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 that the 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 AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends part 39 of the Federal Aviation Regulations (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 Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39-15010 (72 FR 15820, April 3, 2007) and adding the following new airworthiness directive (AD):

**2007-07-05 R1 Boeing:** Amendment 39-15029. Docket No. FAA-2007-27898; Directorate Identifier 2007-NM-078-AD.

**Effective Date**

(a) The effective date of this AD is April 18, 2007.

**Affected ADs**

(b) This AD revises AD 2007-07-05.

**Applicability**

(c) This AD applies to all Boeing Model 777-200, -200LR, -300, and -300ER series airplanes, certificated in any category.

**Unsafe Condition**

(d) This AD results from a report of an air supply and cabin pressure controller (ASCPC) failure during flight. We are issuing this AD to prevent an ASCPC failure that could stop airflow into the airplane, inhibit the cabin altitude warning message, and cause an incorrect display of cabin altitude. These failures could result in depressurization of the airplane without warning.

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Inspection to Determine Part Number (P/N) of the ASCPCs**

(f) For all airplanes: Within 90 days after the effective date of this AD, perform an inspection of the left and right ASCPCs to determine the part number.

**ASCPC Software Installation**

(g) For airplanes on which any ASCPC having P/N 1152972-4 is found during the inspection required by paragraph (f) of this AD: Within 90 days after the effective date of this AD, install new ASCPC operational

program software (OPS) in accordance with the Accomplishment Instructions of Boeing Service Bulletin 777-36A0026, Revision 1, dated February 8, 2007.

**Installation of Certain OPS Prohibited**

(h) As of the effective date of this AD, installation of OPS P/N 3673-GRS-101-00, P/N 3670-GRS-102-00, or P/N 3671-GRS-103-00 is prohibited.

(i) As of the effective date of this AD, no person may install an ASCPC, P/N 1152972-4, on any airplane, unless it has had ASCPC OPS version P/N 3676-GRS-104-00 or later installed in accordance with paragraph (g) of this AD.

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

(j) Actions accomplished before the effective date of this AD in accordance with Boeing Alert Service Bulletin 777-36A0026, dated December 19, 2006, are considered acceptable for compliance with the corresponding actions specified in this AD.

**Alternative Methods of Compliance (AMOCs)**

(k)(1) The Manager, Seattle Aircraft Certification Office, 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.

**Material Incorporated by Reference**

(l) You must use Boeing Service Bulletin 777-36A0026, Revision 1, dated February 8, 2007, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document on April 18, 2007 (72 FR 15820, April 3, 2007). 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 April 12, 2007.

**Ali Bahrami,**

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

[FR Doc. 07-1936 Filed 4-16-07; 11:59 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Parts 91 and 136**

[Docket No. FAA-1998-4521]

**National Air Tour Safety Standards**

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

**ACTION:** Notice of office of management and budget approval for information collection.

**SUMMARY:** This notice announces the Office of Management and Budget's (OMB) approval of the information collection requirement in the final rule published on February 13, 2007 (72 FR 6884). The sections of the final rule pending approval of this information collection request are effective upon publication of this notice.

**DATES:** FAA received OMB approval for the information collection requirement in the Final Rule on April 10, 2007. The compliance date for information collection requirements in 14 CFR 91.146, 91.147, 136.7, and 136.13 is April 18, 2007.

**FOR FURTHER INFORMATION CONTACT:** Alberta Brown, Air Transportation Division, AFS-200, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8166; facsimile: (202) 267-8229; e-mail: [alberta.brown@faa.gov](mailto:alberta.brown@faa.gov).

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

On February 13, 2007, the FAA published the final rule, "National Air Tour Safety Standards," in the **Federal Register**. The rule standardized requirements for air tour operations and consolidated air tour safety standards in Title 14 of the Code of Federal Regulations part 136. In the **DATES** section of the final rule, we noted that affected parties did not need to comply with the information collection requirements in certain sections of the rule until the Office of Management and Budget (OMB) approved the FAA's request to collect the information.

In accordance with the Paperwork Reduction Act, OMB approved the FAA's request for new information collection on April 10, 2007, and assigned the information collection OMB Control Number 2120-0717. The control number was not available to include when the final rule was published, thus necessitating this notice. The FAA request was approved by OMB without change and expires on April 30, 2010.