

properly deploy. Alternatively, it must be shown that such deployment is not hazardous to the occupant and will provide the required protection.

4. It must be shown that the inflatable restraint system is not susceptible to inadvertent deployment as a result of wear and tear or the inertial loads resulting from in-flight or ground maneuvers (including gusts and hard landings) that are likely to be experienced in service.

5. It must be extremely improbable for an inadvertent deployment of the restraint system to occur, or an inadvertent deployment must not impede the pilot's ability to maintain control of the airplane or cause an unsafe condition (or hazard to the airplane). In addition, a deployed inflatable restraint must be at least as strong as a Technical Standard Order (C114) certificated belt and shoulder harness.

6. It must be shown that deployment of the inflatable restraint system is not hazardous to the occupant or will not result in injuries that could impede rapid egress. This assessment should include occupants whose restraint is loosely fastened.

7. It must be shown that an inadvertent deployment that could cause injury to a standing or sitting person is improbable. In addition, the restraint must also provide suitable visual warnings that would alert rescue personnel to the presence of an inflatable restraint system.

8. It must be shown that the inflatable restraint will not impede rapid egress of the occupants 10 seconds after its deployment.

9. To comply with HIRF and lightning requirements, the inflatable restraint system is considered a critical system since its deployment could have a hazardous effect on the airplane.

10. It must be shown that the inflatable restraints will not release hazardous quantities of gas or particulate matter into the cabin.

11. The inflatable restraint system installation must be protected from the effects of fire such that no hazard to occupants will result.

12. There must be a means to verify the integrity of the inflatable restraint activation system before each flight or it must be demonstrated to reliably operate between inspection intervals.

13. A life limit must be established for appropriate system components.

14. Qualification testing of the internal firing mechanism must be performed at vibration levels appropriate for a general aviation airplane.

Issued in Kansas City, Missouri on May 25, 2007.

**Kim Smith,**

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

[FR Doc. E7-11018 Filed 6-6-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 121

**[Docket No. FAA-1998-4521; Amendment No. 121-332]**

**RIN 2120-AF07**

#### Drug and Alcohol Testing Requirements; Correction

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

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** The FAA is correcting a technical amendment to its drug and alcohol testing requirements published on March 15, 2007 (72 FR 12082). The purpose of the technical amendment was to conform those requirements to the National Air Tour Safety Standards. In one paragraph of the regulation, we inadvertently referred to an "antidrug program," when we should have referred to an "Alcohol Misuse Prevention Program."

**DATES:** Effective June 7, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Patrice M. Kelly, Deputy Division Manager, Drug Abatement Division, Office of Aerospace Medicine, 800 Independence Ave., SW., Washington, DC, 20591. (202) 267-3123; e-mail: [patrice.kelly@faa.gov](mailto:patrice.kelly@faa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Background

On March 15, 2007 (72 FR 12082), we published a technical amendment that updated several references in the FAA's drug and alcohol testing regulations in title 14 of the Code of Federal Regulations (14 CFR), part 121, appendices I and J. The technical amendment was necessary because amendments in the National Air Tour Safety Standards final rule (72 FR 6884; Feb. 13, 2007) redefined terms used in the drug and alcohol testing regulations.

In the technical amendment, we changed the language in several charts in part 121, appendix J. When we changed the language in section VII.B.3.b., we inadvertently referred to an "antidrug program," when we should have referred to an "Alcohol Misuse

Prevention Program." Appendix J applies to alcohol testing programs, not drug testing programs.

■ Accordingly, 14 CFR part 121 is corrected by making the following correcting amendment:

#### **PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS**

■ 1. The authority citation for part 121 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 44901, 44903-44904, 44912, 45101-45105, 46105, 46301.

#### **Appendix J—[Amended]**

■ 2. Amend Appendix J to Part 121, Section VII.B.3.b., by removing the words "antidrug program" and adding in their place the words "Alcohol Misuse Prevention Program."

Issued in Washington, DC, on June 1, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E7-10973 Filed 6-6-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 136

**[Docket No. FAA-1998-4521; Amendment No. 136-1]**

**RIN 2120-AF07**

#### National Air Tour Safety Standards; Correction

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

**ACTION:** Final rule; correcting amendments.

**SUMMARY:** The FAA is correcting references in its Commercial Air Tours and National Parks Air Tour Management regulations to conform to amendments made by the National Air Tour Safety Standards final rule published on February 13, 2007 (72 FR 6884). In addition, the FAA is removing a sentence from the preamble that referred to aircraft certificated as "Experimental Category" and clarifying the applicability of the rule to the "Young Eagles" program.

**DATES:** Effective June 7, 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; e-mail: [alberta.brown@faa.gov](mailto:alberta.brown@faa.gov).

For legal information, contact: Bruce Glendening, Operations Law Branch, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8011; facsimile: (202) 267-7971; e-mail: [bruce.glendening@faa.gov](mailto:bruce.glendening@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

*A. Correction to Section References in Part 136 Subpart B*

On February 13, 2007, the FAA published the "National Air Tour Safety Standards" final rule (72 FR 6884) in which we designated the existing sections in part 136, consisting of §§ 136.1 through 136.11, as subpart B, consisting of §§ 136.31 through 136.49. The FAA inadvertently did not update the section references in the text of those sections to reflect the new numbering. This document corrects that oversight.

*B. Comments Against Part 135 Certification*

In the preamble to the February 13, 2007, final rule, on pages 6891-6892, the FAA discussed comments that opposed our proposal to require commercial air tour operators to conduct their operations under part 135. We explained the regulatory basis for our final decision and, in the second full paragraph of column 1 on page 6892, we described the regulations pertaining to the carriage of passengers under different categories of airworthiness certification. Upon review, we have determined that the first sentence of that paragraph was correct; however, the second sentence was not correct because we inadvertently omitted the words "for compensation or hire" when describing operations carrying passengers in aircraft with an "Experimental Category" airworthiness certificate. We therefore correct the preamble of the final rule on page 6892, column 1, the second full paragraph, by removing the sentence that reads, "An 'Experimental Category' certificate does not allow passengers at all."

*C. EAA Young Eagles Program*

During development of the "National Air Tour Safety Standards" final rule, we believed that the Experimental Aircraft Association (EAA) used its FAA-issued exemptions for all flights conducted under its Young Eagles program. Since publication of the final rule, however, we have learned that EAA uses its exemptions only for those

few Young Eagles flights that are flown for compensation or hire. We therefore clarify that the final rule applies to only Young Eagles flights that are flown for compensation or hire, but the rule does not apply to other Young Eagles flights.

**List of Subjects in 14 CFR Part 136**

Air transportation, Aircraft, Airplanes, Air tours, Air safety, Aviation safety, Commercial air tours, Helicopters, National Parks, Recreation and recreation areas, Reporting and recordkeeping requirements.

■ Accordingly, 14 CFR part 136 is corrected by making the following correcting amendments:

**PART 136—COMMERCIAL AIR TOURS AND NATIONAL PARKS AIR TOUR MANAGEMENT**

■ 1. The authority citation for part 136 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 44901, 44903-44904, 44912, 46105.

**§ 136.33 [Amended]**

- 2. Amend § 136.33—
- A. In paragraph (d)(1)(iii) by removing the reference "§ 136.5" and adding in its place the reference "§ 136.35."
- B. In paragraph (d)(3) by removing the reference "§ 136.5" and adding in its place the reference "§ 136.35."

**§ 136.37 [Amended]**

- 3. Amend § 136.37—
- A. In paragraph (d) by removing the reference "§ 136.9" and adding in its place the reference "§ 136.39."
- B. In paragraph (h) by removing the reference "§ 136.11" and adding in its place the reference "§ 136.41."

Issued in Washington, DC, on June 1, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E7-10972 Filed 6-6-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**15 CFR Part 774**

[Docket No. 070426098-7100-01]

RIN 0694-AE03

**Additional Corrections to the Rule That Implemented the New Formula for Calculating Computer Performance: Adjusted Peak Performance (APP) in Weighted TeraFLOPS**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** This rule makes changes to regulations implementing the new formula for calculating computer Adjusted Peak Performance in Weighted TeraFLOPS. This rule corrects the availability of the license exception for technology and software under restriction for specified "software" and "technology" for computers. These additional changes are intended to correct the scope of the license exception in certain Export Control Classification Numbers that were unintentionally narrowed by the rule published on March 22, 2007. In addition, this rule corrects a reference to a nonexistent Export Control Classification Number found in specified "technology" for computers.

**DATES:** This rule is effective June 7, 2007.

**ADDRESSES:** Although this is a final rule, comments are welcome and should be sent to [publiccomments@bis.doc.gov](mailto:publiccomments@bis.doc.gov), fax (202) 482-3355, or to Regulatory Policy Division, Bureau of Industry and Security, Room H2705, U.S. Department of Commerce, Washington, DC 20230. Please refer to regulatory identification number (RIN) 0694-AE03 in all comments, and in the subject line of e-mail comments. Comments on the collection of information should be sent to David Rostker, Office of Management and Budget (OMB), by e-mail to [David\\_Rostker@omb.gov](mailto:David_Rostker@omb.gov), or by fax to (202) 395-7285.

**FOR FURTHER INFORMATION CONTACT:** Joseph Young, Information Technology Controls Division, by telephone at 202-482-4197 or by e-mail at [jyoung@bis.doc.gov](mailto:jyoung@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau of Industry and Security (BIS) published a final rule on April 24, 2006 (71 FR 20876) that implemented the new formula for calculating computer Adjusted Peak Performance (APP) in Weighted TeraFLOPS (WT). Subsequently, BIS published a final rule on March 22, 2007 (72 FR 13440) that corrected the April 24, 2006 final rule, by removing certain references to Missile Technology controls and adjusting the scope of controls and license exceptions in certain Export Control Classification Numbers (ECCNs).

In adjusting the scope and license exceptions in certain ECCNs, the March 22, 2007 final rule unintentionally narrowed the scope of the license exception for technology and software under restriction (License Exception TSR) for ECCNs 4D001 (specified "software") and 4E001 (specified