

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Program Manager, Continuing Operational Safety, 1600 Stewart Avenue, Suite 41, Westbury, New York 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product*: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to ensure the product is airworthy before it is returned to service.

(3) *Reporting Requirements*: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI Canadian Airworthiness Directive CF-2007-35, dated December 21, 2007, Canadair Temporary Revision (TR) 2D-2, dated March 31, 2006, and TR 2D-2, dated May 10, 2007, for related information.

#### Material Incorporated by Reference

(i) You must use Canadair Temporary Revision 2D-2, dated March 31, 2006, to Appendix D, "Fuel System Limitations," of Part 2, "Airworthiness Requirements," of the Bombardier CL-600-2B19 Maintenance Requirements Manual CSP A-053, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register previously approved the incorporation by reference of Canadair Temporary Revision 2D-2, dated March 31, 2006, to Appendix D, "Fuel System Limitations," of Part 2, "Airworthiness Requirements," of the Bombardier CL-600-2B19 Maintenance Requirements Manual CSP A-053 on June 6, 2008 (73 FR 24147, May 2, 2008).

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; e-mail [thd.crij@aero.bombardier.com](mailto:thd.crij@aero.bombardier.com); Internet <http://www.bombardier.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

(4) You may also review copies of the service information that is incorporated by

reference 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/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on December 11, 2009.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0521; Directorate Identifier 2008-NM-187-AD; Amendment 39-16034; AD 2009-20-11]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes Equipped With a Digital Transient Suppression Device (DTSD) Installed in Accordance With Supplemental Type Certificate (STC) ST00127BO**

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

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting information in an existing airworthiness directive (AD) that was published in the **Federal Register** on October 1, 2009. The error resulted in use of an outdated division name and e-mail address in the vendor contact information. This AD applies to certain Boeing Model 737-300, -400, and -500 series airplanes. This AD requires revising the maintenance program to include new fuel system limitations for airplanes modified in accordance with STC ST00127BO. This AD also requires inspections and checks of the DTSDs and corrective actions, if necessary.

**DATES:** Effective November 5, 2009.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800-647-5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West

Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Marc Ronell, Aerospace Engineer, ANE-150, FAA, Boston Aircraft Certification Office, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238-7776; fax (781) 238-7170.

**SUPPLEMENTARY INFORMATION:** On September 18, 2009, the FAA issued AD 2009-20-11, Amendment 39-16034 (74 FR 50683, October 1, 2009), for certain Boeing Model 737-300, -400, and -500 series airplanes. The AD requires revising the maintenance program to include new fuel system limitations for airplanes modified in accordance with Supplemental Type Certificate ST00127BO. This AD also requires inspections and checks of the digital transient suppression device and corrective actions, if necessary.

As published, the vendor contact information specified in the Addresses section of the preamble and paragraph (n)(2) of the regulatory text of AD 2009-20-11 contained an outdated division name and e-mail address. Since that AD was published, the vendor has provided us with the recently updated contact information.

No other part of the regulatory information has been changed; therefore, the final rule is not republished in the **Federal Register**.

The effective date of this AD remains November 5, 2009.

■ Correction of non-regulatory text:

In the **Federal Register** of October 1, 2009, on page 50683, in the second column, the **ADDRESSES** section of AD 2009-20-11 is corrected to read as follows:

“**ADDRESSES:** For service information identified in this AD, contact Goodrich Corporation, Sensors and Integrated Systems (Formerly Fuel and Utility Systems), 100 Pantan Road, Vergennes, Vermont 05491-1008; telephone 802-877-4476; e-mail [SIS.TechPubs-VT@Goodrich.com](mailto:SIS.TechPubs-VT@Goodrich.com); Internet <http://www.goodrich.com/TechPubs>.”

■ Correction of regulatory text:

#### § 39.13 [Corrected]

■ In the **Federal Register** of October 1, 2009, on page 50685, in the second column, paragraph (n)(2) of AD 2009-20-11 is corrected to read as follows:

\* \* \* \* \*

(2) For service information identified in this AD, contact Goodrich Corporation, Sensors and Integrated Systems (Formerly Fuel and Utility Systems), 100 Pantan Road, Vergennes, Vermont 05491-1008; telephone 802-

877-4476; e-mail [SIS.TechPubs-VT@Goodrich.com](mailto:SIS.TechPubs-VT@Goodrich.com); Internet <http://www.goodrich.com/TechPubs>.

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Issued in Renton, Washington, on December 11, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-30418 Filed 12-22-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Part 701

[Docket No. 080722875-91412-02]

RIN 0694-AE40

#### Reporting of Offsets Agreements in Sales of Weapon Systems or Defense-Related Items to Foreign Countries or Foreign Firms

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

**ACTION:** Final rule.

**SUMMARY:** This final rule amends title 15 of the Code of Federal Regulations, part 701, which implements Section 309 of the Defense Production Act of 1950 ("Section 309"), as amended. The Bureau of Industry and Security ("BIS") is amending part 701 to update and provide clarification with regard to the information U.S. firms are required to submit each year to BIS to support BIS's preparation of the annual report to Congress on offsets in defense trade.

**DATES:** *Effective date:* This rule is effective January 22, 2010.

**FOR FURTHER INFORMATION CONTACT:** Ronald DeMarines, Bureau of Industry and Security, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Room 3876, Washington, DC 20230, *telephone:* (202) 482-3755, *e-mail:* [redemarin@bis.doc.gov](mailto:redemarin@bis.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Defense Production Act Amendments of 1992 required the Secretary of Commerce to promulgate regulations for U.S. firms to furnish information on sales of defense articles or defense services to foreign countries or foreign firms when such sales are made pursuant to a contract subject to an offset agreement exceeding \$5,000,000 in value. The Secretary of Commerce designated BIS as the organization responsible for promulgating such regulations. In 1994,

BIS published the Reporting of Offsets Agreements in Sales of Weapon Systems or Defense-Related Items to Foreign Countries or Foreign Firms regulation (15 CFR part 701) (the "Offset Reporting Regulation"). BIS aggregates and uses the information provided by U.S. firms pursuant to the Offset Reporting Regulation to determine the impact of offset transactions on the defense preparedness, industrial competitiveness, employment, and trade of the United States. Pursuant to Section 309, BIS submits reports annually to Congress.

On April 29, 2009, BIS published a proposed rule (74 FR 19466) requesting comments on proposed amendments to the Offset Reporting Regulation. This final rule implements the amendments to the Offset Reporting Regulation.

##### II. Reasons for This Rule

This rule will allow BIS to improve its assessment of the economic effects of offsets in defense trade. The amendments in this rule clarify the information BIS is seeking to receive from industry. BIS believes that these amendments will lead to less ambiguity and more consistency in industry submissions. BIS is also making these amendments to update its instructions to industry specific to the means of submission and the format of submitted data.

This final rule also responds to a recommendation made by the Government Accountability Office ("GAO") in its June 26, 2008 report entitled *Defense Production Act: Agencies Lack Policies and Guidance for Use of Key Authorities* (GAO-08-854). In its report, the GAO stated that Commerce provides useful summaries of offsets issues in its annual report to Congress, but the type of data collected from prime contractors limits BIS's ability to effectively analyze the impact of offsets on the U.S. economy.

Consequently, the GAO recommended that Commerce update its Offset Reporting Regulation to require more precise information on the industry sectors in which offset activity occurs.

##### III. Comments on the Proposed Rule

The comment period for the proposed rule ended on June 29, 2009. BIS received a total of three written submissions. The written submissions comprised nine distinct comments from two defense contractors and one industry association. BIS posted all comments received by the end of the comment period for public viewing at <http://www.regulations.gov> and on the BIS Web site at <http://efoia.bis.doc.gov>.

The comments focused on the following topics: the proposed requirement to classify products and services involved in offset agreements and transactions using the North American Industry Classification System ("NAICS") codes and the added burden created by this requirement; the proposed linking of offset transactions to offset agreements; the proposed increase in data specificity for performance measures and non-performance penalties associated with offset agreements; and the importance of protecting the business proprietary information submitted by U.S. firms.

#### *Comments on the Classification of Offset Agreements and Transactions Products and Services*

BIS received three comments regarding the proposed requirement that certain information reported to BIS be classified using NAICS codes. All three commentators indicated that the NAICS reporting requirement was burdensome and time consuming. One commenter noted that BIS estimated that the requirement to classify offset agreements and transactions would add 33 percent to the total time required to prepare an annual submission pursuant to the Offset Reporting Regulation. Another commenter stated that the defense contractor industry does not track NAICS codes during sales and that many offset transactions would require more than one NAICS code. The third commenter stated that it would require at least an 18-month lead time to implement the changes to its database and to train users.

BIS determined that the requirement to classify offset agreements and transactions would not result in an undue burden on the defense industry for several reasons. First, all companies conducting business with the U.S. Government, including those regularly involved in military export sales reported to Commerce, are required to classify their products and services, in accordance with the NAICS (See Central Contractor Registration Handbook, <http://www.ccr.gov>). The U.S. Census Bureau ("Census") posts instructions on its Web site on how to properly classify products and services in accordance with the NAICS. The Census web site also contains a search feature that allows users to find the proper NAICS codes for their products based upon a keyword search.

Moreover, Census requires the reporting of industrial activity using NAICS codes for all U.S. companies for the economic census it conducts every five years. Further, Census collects NAICS-based data monthly from the