

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 21****Final Airworthiness Design Standards for Acceptance Under the Primary Category Rule; Orlando Helicopter Airways (OHA), Inc., Models Cessna 172I, 172K, 172L, and 172M**

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

**ACTION:** Issuance of final Airworthiness Design Standards.

**SUMMARY:** This Airworthiness Design Standard is issued to OHA, Inc., for certification under primary category regulations of modified Cessna 172I, 172K, 172L, and 172M airplanes.

**DATES:** This Airworthiness Design Standard is effective September 29, 2010.

**FOR FURTHER INFORMATION CONTACT:** Mr. Leslie B. Taylor, Aerospace Engineer, Standards Office (ACE-111), Small Airplane Directorate, Aircraft Certification Service, FAA; telephone number (816) 329-4134, fax number (816) 329-4090, e-mail at [leslie.b.taylor@faa.gov](mailto:leslie.b.taylor@faa.gov).

**SUPPLEMENTARY INFORMATION:** Any person may obtain a copy of this information by contacting the person named above under **FOR FURTHER INFORMATION CONTACT**.

**Background**

The "primary" category for aircraft was created specifically for the simple, low performance personal aircraft. Section 21.17(f) provides a means for applicants to propose airworthiness standards for their particular primary category aircraft. The FAA procedure establishing appropriate airworthiness standards includes reviewing and possibly revising the applicant's proposal, publication of the submittal in the **Federal Register** for public review and comment, and addressing the comments. After all necessary revisions, the standards are published as approved FAA airworthiness standards.

**Discussion of Comments**

Existence of Proposed Airworthiness Design Standards for Acceptance Under the Primary Category Rule; Orlando Helicopter Airways (OHA), Inc., Models Cessna 172I, 172K, 172L, and 172M airplanes was published in the **Federal Register** on June 21, 2010, 75 FR 34953. No comments were received, and the airworthiness design standards are adopted as proposed.

**Applicability**

As discussed above, these airworthiness design standards under the primary category rule are applicable to the C172I, C172K, C172L, and C172M. Should OHA, Inc., wish to apply these airworthiness design standards to other airplane models, OHA, Inc. must submit a new airworthiness design standard application under the primary rule category.

**Conclusion**

This action affects only certain airworthiness design standards on Cessna model C172I, C172K, C172L, C172M airplanes. It is not a standard of general applicability and it affects only the applicant who applied to the FAA for approval of these features on the airplane.

**Citation**

The authority citation for these airworthiness standards is as follows:

**Authority:** 49 U.S.C. 106(g), 40113 and 44701.

**Final Airworthiness Standards for Acceptance Under the Primary Category Rule**

For all airplane modifications and the powerplant installation:

Part 3 of the Civil Air Regulations (CAR 3), effective November 1, 1949, as amended by Amendments 3-1 through 3-12, except for § 3.415, Engines and § 3.416(a), Propellers; and 14 CFR part 23, §§ 23.603, 23.863, 23.907, 23.961, 23.1322 and 23.1359 (latest amendments through Amendment 23-59) as applicable to these airplanes.

For engine assembly certification:

Joint Aviation Requirements 22 (JAR 22), "Sailplanes and Powered Sailplanes," Change 5, dated October 28, 1995, Subpart H only.

For propeller certification:

14 CFR part 35 as amended through Amendment 35-8 except § 35.1 (or a propeller with an FAA type certificate may be used).

For noise standards:

14 CFR part 36, Amendment 36-28, Appendix G.

Issued in Kansas City, Missouri, on August 19, 2010.

**John R. Colomy,**

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

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**DEPARTMENT OF DEFENSE****Department of the Navy****32 CFR Part 776**

[No. USN-2010-0019]

RIN 0703-AA88

**Professional Conduct of Attorneys Practicing Under the Cognizance and Supervision of the Judge Advocate General**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Interim final rule.

**SUMMARY:** The Department of the Navy (DON) is amending its rules to update existing sections relating to the professional conduct of attorneys practicing under the cognizance and supervision of the Judge Advocate General (JAG) for clients with diminished capacity. The amendment comports with current policy reflected in JAG Instruction 5803.1 (Series), Professional Conduct of Attorneys Practicing Under the Cognizance and Supervision of the Judge Advocate General.

The new rule allows a covered attorney to take preventative action when the attorney reasonably believes that a client has diminished capacity and is at risk of substantial physical harm to himself or herself unless immediate action is taken. Not having this immediate change negatively impacts an attorney's ability to preserve life when a client expresses the intent to harm himself or herself or an attorney receives information about a client's suicidal intentions. The JAG has directed that this change take effect immediately as the former version of the rule potentially created a professional responsibility violation if an attorney acted to preserve life or risked the client's life.

**DATES:** This interim final rule is effective August 30, 2010. Written comments received at the address indicated below by October 29, 2010 will be considered and addressed in the final rule.

**ADDRESSES:** You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) and title, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name and