

**Special Flight Permit**

(i) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished, provided that the generator served by the power feeder wire bundles specified in paragraph (g) of this AD is disconnected.

**Alternative Methods of Compliance (AMOCs)**

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

**Material Incorporated by Reference**

(k) You must use Boeing Special Attention Service Bulletin 757-24-0105, Revision 2, dated April 20, 2006; and Boeing Special Attention Service Bulletin 757-24-0106, Revision 2, dated April 20, 2006; as applicable; 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 these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. 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 Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; 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 the 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 January 18, 2007.

**Ali Bahrami,**

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

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**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****14 CFR Part 254**

**RIN 2105-AD62**

[Docket OST-2007-27020]

**Domestic Baggage Liability**

**AGENCY:** Department of Transportation (DOT), Office of the Secretary (OST).

**ACTION:** Final Rule.

**SUMMARY:** In accordance with the provisions of 14 CFR 254.6, this final rule revises the minimum limit on domestic baggage liability applicable to air carriers to reflect inflation since July 2004, the year of the most recent revision to the liability limit. Section 254.6 requires that the Department periodically revise the limit to reflect changes in the Consumer Price Index. The rule adjusts the minimum limit of liability from the current amount of \$2,800, set by the Department in 2004, to \$3,000, to take into account the changes in consumer prices since the prior revision.

**EFFECTIVE DATE:** This rule is effective on February 28, 2007.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Lowry, Senior Attorney, Office of Aviation Enforcement and Proceedings (C-70), Department of Transportation, 400 Seventh St., SW., Washington, DC 20590; (202) 366-9351.

**SUPPLEMENTARY INFORMATION:****I. Supplementary Information**

14 CFR Part 254 establishes minimum baggage liability limits applicable to domestic air service, currently \$2,800 per passenger (See 69 FR 56693, September 22, 2004). Provisions of 14 CFR 254.6 require that the Department periodically review the minimum limit of liability prescribed in Part 254 in light of changes in the Consumer Price Index for Urban Consumers and directs the Department to revise the limit of liability to reflect changes in the price index that have occurred in the interim. Section 254.6 prescribes the use of a specific formula to calculate the revised minimum liability amount when making these periodic adjustments. Applying the formula to price index changes occurring between July 2004 and July 2006, the appropriate inflation adjustment is  $\$2,500 \times 203.5/168.3$ , or \$3022.87. The provision requires us to round the adjustment to the nearest \$100, or to \$3,000.

**II. Waiver of Rulemaking Procedural Requirements**

With this final rule, we are waiving the usual notice of proposed rulemaking and public comment procedures set forth in the Administrative Procedure Act (APA) (5 U.S.C. 553). The APA allows agencies to dispense with such procedures on finding of good cause when they are impracticable, unnecessary or contrary to the public interest. We have determined that under 5 U.S.C. 553 (b)(3)(B) good cause exists for dispensing with the notice of proposed rulemaking and public

comment procedures for this rule. This rulemaking is required by regulation, based on a formula, and provides for no discretion. Accordingly, we believe comment is unnecessary and contrary to the public interest, and we are issuing this revision as a final rule.

Although this final rule will become effective in 30 days, the Department will defer enforcement of the notice provision in the revised rule, as it pertains to written notice of the new limit, for a reasonable time period to allow carriers to replace or correct their current paper ticket stock and envelopes so as to provide proper written notice of the increased minimum liability limit without imposing an undue burden. Carriers are, however, subject to enforcement action from the effective date of this final rule if they otherwise fail to provide proper notice of the \$3,000 liability limit or fail to apply the new limit, as appropriate.

**III. Regulatory Impact Statement***Executive Order 12866*

This final rule has been evaluated in accordance with the existing policies and procedures and is considered not significant under both Executive Order 12866 and DOT's Regulatory Policies and Procedures. It was not reviewed by the Office of Management and Budget. Based on the limited data available to the Department, the increase in the minimum baggage liability limit from \$2,800 to \$3,000 per passenger may result in U.S. carriers paying total additional reimbursements to consumers of approximately \$2.6 million per year.

*Regulatory Flexibility Act*

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601-612) does not apply to this rulemaking because we are not required to issue a notice of proposed rulemaking. However, we note that this revision of 14 CFR Part 254 provides for a minimal increase in the amount of the minimum baggage liability limit that air carriers may incur in cases of lost or damaged baggage. It will pose minor additional costs only in those instances in which carriers lose or damage baggage, or delay delivering baggage to the traveler, and it affects only carriers operating large aircraft or those carriers operating small aircraft interlining with such carriers. As a result, many operations of small entities, such as small air taxis and commuter air carriers, are not covered by the rule. Moreover, any additional costs for small entities associated with the rule should be minimal and may be covered by insurance.

*Paperwork Reduction Act*

This final rule imposes no new reporting or recordkeeping requirements necessitating clearance by OMB.

**List of Subjects in 14 CFR Part 254**

Air carriers, Administrative practice and procedure, Consumer protection.

■ Accordingly, the Department of Transportation revises 14 CFR Part 254, *Domestic Baggage Liability*, to read as follows:

**PART 254—DOMESTIC BAGGAGE LIABILITY**

■ 1. The authority citation for part 254 continues to read:

**Authority:** 49 U.S.C. 40113, 41501, 41501, 41504, 41510, 41702 and 41707.

■ 2. Section 254.4 is revised to read as set forth below:

**§ 254.4 Carrier liability.**

On any flight segment using large aircraft, or on any flight segment that is included on the same ticket as another flight segment that uses large aircraft, an air carrier shall not limit its liability for provable direct or consequential damages resulting from the disappearance of, damage to, or delay in delivery of a passenger's personal property, including baggage, in its custody to an amount less than \$3,000 for each passenger.

■ 3. Section 254.5 is revised to read as set forth below:

**§ 254.5 Notice requirement.**

In any flight segment using large aircraft, or on any flight segment that is included on the same ticket as another flight segment that uses large aircraft, an air carrier shall provide to passengers, by conspicuous written material included on or with its ticket, either:

(a) Notice of any monetary limitation on its baggage liability to passengers; or

(b) The following notice: "Federal rules require any limit on an airline's baggage liability to be at least \$3,000 per passenger."

**Andrew B. Steinberg,**

*Assistant Secretary for Aviation and International Affairs.*

[FR Doc. E7-1101 Filed 1-26-07; 8:45 am]

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**DEPARTMENT OF COMMERCE****Bureau of Industry and Security****15 CFR Parts 700, 730, 734, 740, 748, 758 and 762**

[Docket No. 061212330-6330-01]

RIN 0694-AD88

**Technical Corrections to the Export Administration Regulations and to the Defense Priorities and Allocations System (DPAS) Regulation**

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

**ACTION:** Final rule; technical corrections.

**SUMMARY:** The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR), in Subchapter C, to remove an outdated reference to another agency's schedule that is no longer used by that other agency; to remove an outdated reference to another department's regulations and replace it with the department name and regulatory reference that is currently in use; to correct two references in the EAR that inadvertently directed the public to the wrong sections of the EAR for further information; and to correct contact information listed in the EAR for one (1) telephone number; one (1) fax number; one (1) e-mail address; and two (2) addresses to this rule adds an e-mail address, fax number, and address to clarify for the public where *de minimis* reports should be sent, when required by the EAR.

BIS is also correcting a typographical error in a final rule published in the **Federal Register** on July 13, 2006 (71 FR 39526) that made administrative and technical corrections to the Defense Priorities and Allocations System (DPAS) Regulation (15 CFR part 700).

**DATES:** *Effective Date:* This rule is effective: January 29, 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-AD88 in all comments, and in the subject line of email 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.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to (202) 395-7285.

**FOR FURTHER INFORMATION CONTACT:** For Export Administration Regulation

related questions contact Timothy Mooney, Office of Exporter Services, Bureau of Industry and Security, Telephone: (202) 482-2440. For Defense Priorities and Allocations System (DPAS) Regulation related questions contact Liam McMenemy, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, Telephone: (202) 482-2233.

**SUPPLEMENTARY INFORMATION:** This rule makes the following technical corrections to the Export Administration Regulations (EAR):

In § 734.2 (Important EAR terms and principles), this rule removes an outdated reference to schedule "E" issued by the Bureau of Census in paragraph (b)(8), because schedule "E" has not existed since 1989. Schedule "C" remains in existence and will continue to be listed in paragraph (b)(8) to provide a reference for the public for the Classification of Country and Territory Designations for U.S. Export Statistics, issued by the Bureau of the Census.

In Supplement No. 2 to Part 734 (Calculation of Values for *De minimis* Rules), this rule revises paragraph (b)(5) and adds new paragraphs (b)(5)(i), (b)(5)(ii) and (b)(5)(iii) to add an e-mail address, fax number, and address, respectively, to clarify for the public where *de minimis* reports should be sent when required by the EAR and the methods of delivery available.

In § 740.12 (Gift Parcels and Humanitarian Donations (GFT)), this rule corrects an outdated EAR reference in the "note to paragraph (a)", that directed the public to § 748.9(e) of the EAR for licensing of multiple gift parcels. The correct EAR reference, which this rule adds to the note to paragraph (a), is § 748.8(d). To further assist the public, this rule also adds to the note to paragraph (a) a reference, to Supplement No. 2 to Part 748 paragraph (d), for additional information regarding gift parcels.

In § 740.14 (Baggage (BAG)), this rule removes an outdated reference in paragraph (e)(2) to the "Department of Treasury Regulations (27 CFR 178.115(d))," because these regulations were renumbered from Part 178 to Part 478 when the law enforcement functions of Alcohol, Tobacco and Firearms (ATF) under the Department of the Treasury were transferred to the Department of Justice, effective January 24, 2003. To conform with these changes, this rule removes the reference to "the Department of Treasury's Regulations (27 CFR 178.115(d))", and adds the updated reference to