

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/01/2006

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Barry West
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/21/2006

ACTION REQUESTED: New collection (Request for a new OMB Control Number)
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200606-0648-005
TITLE: NOAA Aviation Safety Program
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0547

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 09/30/2009

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	1,000	250	0
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	1,000	250	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: John F. Morrall III
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
NOAA Aviation Safety Program			

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
NOAA AVIATION SAFETY PROGRAM
OMB CONTROL NO. 0648-xxxx**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

NOAA has a responsibility to provide a safe working environment for its workforce and partners who are exposed to the risks associated with flying on behalf of the Agency. NOAA's aviation safety policy requires all individuals who fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel who fly on any aircraft for mission operations in the performance of their official duties to be medically screened to identify individuals that could be placed in a work environment (flight) with the potential to aggravated existing medical conditions.

NOAA Office of Marine and Aviation Operations collects similar medical history information using the NOAA Health Services Questionnaire under **OMB Control No. 0648-0283** from individuals requesting permission to embark on NOAA Ships.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

NOAA Office of Marine and Aviation Operations (OMAO) administers NOAA's aviation safety policy through the Aviation Safety Program. OMAO requests medical history information from individuals (researchers and NOAA Program activity observers) requesting clearance to fly on behalf of NOAA to determine the individual's fitness for flight. This information, upon receipt, is reviewed by the NOAA Aviation Medical Examiner to determine whether or not to grant a NOAA Aeromedical Clearance Notice, receipt of which, authorizes participation in flight activities on behalf of NOAA.

Frequency of collection per requestor: The Aeromedical Clearance Notice is valid for either two or three years depending on the age of the applicant at the time of submittal (under 40 years of age it is valid for three years, and for individuals 40 and older, it is valid for two years).

As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. The information collected will not be disseminated to the public or used to support information that will be disseminated to the public. Should NOAA Fisheries Service decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Applicants will submit information via a secure web-based form or paper application. Telephone calls may be required to clarify information submitted in the application. Methods of submittal include internet and secure facsimile transmission.

4. Describe efforts to identify duplication.

Some duplication will occur if an individual requests permission to embark on a NOAA Ship and fly aboard an aircraft for NOAA mission operations. The NOAA Health Services Questionnaire and NOAA Health Services Aviation Questionnaire request information specifically tailored to enable NOAA's medical professionals to evaluate the medical history of the individual in relation to the environment to which they would be exposed to determine their fitness for duty (at sea or at altitude).

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

No small businesses will be responding to this collection.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Researchers and program observers would not be authorized to fly aboard aircraft owned or operated by NOAA for mission operations. Affected NOAA flight operations include hazardous weather research, aerial damage assessment, air chemistry, forecaster training, coastal and offshore surveys, enforcement, and remote sensing.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The collection is conducted in a manner consistent with the OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited public comment on this collection. No comments were received.

The NOAA Health Services Aviation Questionnaire will be used to collect information from respondents both inside and outside the agency. Reviewers inside the agency were consulted during the development of the form and modifications were made based on comments received about the clarity of the questions. Additional internal review of the web-based interface used to collect this information was conducted and changes made to ease the use of the system. Reviewers outside the agency were not consulted.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no payments made or gifts given to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Records will be treated as confidential under 5 U.S.C. 552 (a), the Privacy Act. A Privacy Act System of Records Notice and a Privacy Impact Assessment are being developed for an electronic database which will include information collected in relation to this request, as well as the information collected for OMB Control No. 0648-0283, NOAA's Teacher at Sea Program.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Except for the health questions, there are no questions of a sensitive nature or any matters that are commonly considered private.

12. Provide an estimate in hours of the burden of the collection of information.

As an average of 1,000 forms is expected to be submitted annually, with 15 minutes estimated for completion, the burden is estimated to be 250 hours annually.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

Annual cost to respondents = \$0.

14. Provide estimates of annualized cost to the Federal government.

There will be no additional annual labor cost to the Federal Government. All correspondence will be via electronic means resulting in no additional recordkeeping expense.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This is a request for a new program.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The results of the collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The expiration date for OMB approval of the information collection will be displayed.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

If you have any questions, please contact the appropriate Health Services Office:

Aircraft Operations Center: 813-828-3310 x-3102 (Office) / 813-294-6703 (Cellular)

Marine Operations Atlantic: 757-441-6320 (Office) / 757-615-6619 (Cellular)

Marine Operations Pacific: 206-553-8704 (Office) / 206-409-8725 (Cellular)

Director, NMAO Health Services: 301-713-7715 (Office)

I certify that I have reviewed the foregoing information supplied by me and that it is true and complete to the best of my knowledge. I understand that falsification of information on Government forms is punishable by fine and/or imprisonment. **ANY CHANGES IN YOUR MEDICAL CONDITION SINCE YOU LAST COMPLETED THIS MEDICAL HISTORY FORM, MUST BE REPORTED TO A NOAA AVIATION MEDICAL EXAMINER IMMEDIATELY.**

Employee Signature

Date (mm/dd/yy)

Please submit your completed questionnaire to one of the following offices for review:

NOAA AIRCRAFT OPERATIONS CENTER
NOAA OFFICE OF HEALTH SERVICES
PO BOX 6829
MACDILL AIR FORCE BASE, FL 33608-0829
Secure fax (813) 828-5060

NOAA DIVE CENTER
NOAA OFFICE OF HEALTH SERVICES
7600 SAND POINT WAY. NE
SEATTLE, WA 98115
Secure fax (206) 526-6506

-----[Below section to be completed by NOAA Medical Officer]-----
MEDICALLY CLEARED FOR AVIATION DUTY BY HISTORY: YES NO NEED MORE INFO

AOC / MOA / MOP Regional Director of Health Services

Date (mm/dd/yy)

Page ___ of ___

Name: _____

NOAA Health Services Aviation Questionnaire Continuation Page

AVIATION SAFETY POLICY

SECTION 1. POLICY AND PURPOSE.

The National Oceanic and Atmospheric Administration (NOAA) has a responsibility to provide a safe working environment for its workforce, and for partners who are exposed to the risks associated with flying on aircraft owned or operated by NOAA. The purpose of this Order is to make aviation safety the number one priority for all aviation operations:

- a. by ensuring aircraft meet NOAA's airworthiness and operational safety standards;
- b. by requiring medical screening of personnel;
- c. by providing personnel with aviation safety training and aviation life support equipment (ALSE); and
- d. by establishing a corporate NOAA Aviation Safety Board (NASB) and Aviation Safety Program (ASP) to provide policies, procedures, tools, and training that follow the Safety Standards Guidelines for Federal Flight Programs codified in sections 102-33.140 and 102-33.155-185 of title 41 of the Code of Federal Regulations (41 CFR 102-33.140 and 41 CFR 102-33.155-185).

SECTION 2. SCOPE.

.01 Except as provided in Section 2.02, this Order applies to all NOAA personnel who fly on any aircraft in the performance of their official duties, and to all individuals who fly on aircraft owned or operated by NOAA. For purposes of this Order, aircraft operated by NOAA includes:

- a. aircraft rented, chartered, leased, or owned by NOAA or NOAA personnel, and used to conduct official business; and
- b. aircraft operated by public or private entities on behalf of NOAA through written support agreements with NOAA.

.02 This Order does not apply:

- a. to use of scheduled air carriers for transportation;
- b. to use of aircraft for the acquisition of products or data (including products or data acquired through grants) where no NOAA personnel fly on the aircraft in any capacity; or
- c. to use of aircraft for movement of cargo where no NOAA personnel fly on the aircraft in any capacity.

SECTION 3. BACKGROUND.

.01 NOAA operations often require flights for purposes of transportation or mission operations made in both rotary and fixed wing aircraft operated by NOAA; other federal agencies of the U.S. Government, including the armed forces; state and local governments; foreign governments; and civilian aviation service providers. These aircraft operators may be providing the service directly to NOAA or to another party. Examples of routine NOAA flight operations include hazardous weather research, aerial damage assessment, air chemistry, forecaster training, coastal and offshore surveys, enforcement, and remote sensing.

.02 An aircraft operated by the U.S. Government, or one owned and operated by the government of a state, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, may be considered to be operating as a "public aircraft" as defined in sections 40102 and 40125 of title 49 of the U.S. Code (49 U.S.C. 40102 and 40125). Except for certain airspace rules that apply to all aircraft (reference Federal Aviation Act of 1958, title 49 U.S.C. Subtitle VII), the Federal Aviation Administration (FAA) has no legal jurisdiction over public aircraft operations. As such, public aircraft are not subject to many federal aviation regulations, including requirements relating to aircraft certification, maintenance, and pilot certification.

.03 To ensure the safety of federal employees while operating in public aircraft, federal agencies are required to develop agency-specific flight program standards that meet or exceed applicable civil or military rules. These standards must be incorporated in contracts and agreements as set forth in Safety Standards Guidelines for Federal Flight Programs codified by regulations set forth in 41 CFR 102-33.140 and 41 CFR 102-33.155-185.

.04 NOAA has a responsibility to ensure that:

- a. aircraft owned or operated by NOAA meet NOAA's airworthiness and operational safety standards; and
- b. all qualified non-crewmembers who fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel who fly as qualified non-crewmembers on any aircraft for mission operations in the performance of their official duties, are:
 - 1. medically screened to ensure fitness for flight;

2. appropriately trained in aviation safety; and
3. provided appropriate ALSE.

SECTION 4. DEFINITIONS.

.01 Accident (Aircraft) – is defined by the National Transportation Safety Board (NTSB) as an occurrence associated with the operation of an aircraft that takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage.

.02 Aeromedical Clearance Notice – a document issued by an aviation medical examiner following medical screening, indicating medical clearance for flight duties.

.03 Aeromedical Grounding Notice – a document issued by an aviation medical examiner following medical screening, indicating the individual is not cleared for flight duties.

.04 Aircraft – is defined by 14 CFR 1.1 as a device that is used or intended to be used for flight in the air.

.05 Airport – is defined by 14 CFR 1.1 as an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any. For the purposes of this definition, airports used for transportation mean those within Class B, Class C, or Class D airspace as defined in 14 CFR 71.41, 71.51, and 71.61 or International Civil Aviation Organization (ICAO) equivalent.

.06 Armed Forces – means the U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard, including their Regular and Reserve components. For purposes of this Order, the National Guard is also included in the armed forces. The U.S. Civil Air Patrol and the U.S. Coast Guard Auxiliary are not considered armed forces.

.07 Aviation Life Support Equipment (ALSE) – means equipment that protects crewmembers and others aboard an aircraft, or assists in their safe escape, survival, and recovery during an accident or other emergency.

.08 Aviation Services – means procurement for the use of an aircraft for mission operations or transportation.

.09 Crewmember – is defined under 41 CFR 102-33.20 and means a person assigned to operate or assist in operating an aircraft during flight time. Crewmembers perform duties directly related to the operation of the aircraft (e.g., as pilots, co-pilots, flight engineers, navigators) or duties assisting in operation of the aircraft (e.g., as flight directors, crew chiefs, electronics technicians, mechanics).

.10 Data Services – means the procurement of products or data that may be acquired through the use of an aircraft.

- .11 Government Aircraft – means a federal aircraft or a commercial aircraft hired as a commercial aviation services aircraft (as defined by 41 CFR 102-33.20).
- .12 Incident (Aircraft) – as defined by the NTSB, means an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.
- .13 Mission Operations – means all operations other than transportation. Mission operations include, but are not limited to: aerial surveys, airborne data collection, forecaster training, and aerial photography. Mission operations include transportation of personnel where an aircraft departs from or lands at a location other than an airport as defined in this Order. Accordingly, transportation of personnel on aircraft that either depart from or land on a ship, oil rig, open field, beach, ice, or open water is considered mission operations.
- .14 Near Miss – means: (1) a near midair collision associated with the operation of an aircraft in which a possibility of collision occurs as a result of proximity of less than 500 feet to another aircraft, or a report is received from a pilot or a flight crew member stating that a collision hazard existed between two or more aircraft; (2) any situation involving aircraft in which evasive action was required to avoid a collision (such as emergency maneuvering to avoid a bird strike or collision with any object); or (3) any "close-call" incident that could have resulted in a fatality or serious injury, or that could have jeopardized the safety of the flight.
- .15 NOAA Aircraft – means an aircraft that NOAA owns (holds title to or has vested rights in the title) or an aircraft that NOAA leases and holds the option to purchase.
- .16 NOAA Personnel – means any NOAA employee or NOAA contract employee, or any other individual who meets the definition of a NOAA employee under Public Law 103-3 (Federal Employees Compensation Act).
- .17 Observer – means any qualified non-crewmember who monitors the performance of the governmental function for which the aircraft is being operated. Observer status is determined by the NOAA Line or Staff Office manager responsible for the flight and shall not be granted to an individual more than once per year for a similar mission.
- .18 Privately Owned Aircraft – is defined under 41 CFR 300-3.1 and means an aircraft that is rented, chartered, leased, or owned by an employee for personal use. It is not rented, chartered, leased, or owned by a government agency or an employee for use in carrying out official government business.
- .19 Qualified Non-Crewmember – is defined under 41 CFR 102-33.20 and means a person flying onboard a government aircraft whose skills or expertise are required to perform or are associated with performing the governmental function for which the aircraft is being operated (qualified non-crewmembers may be researchers, law enforcement agents, fire fighters, agricultural engineers, biologists, etc.).
- .20 Scheduled Air Carrier – means any common carriage passenger carrying operation for compensation or hire conducted by a U.S. or foreign air carrier for which the air carrier or its

representatives offer in advance the departure location, departure time, and arrival location (e.g., scheduled flights offered by Southwest, United, American, Lufthansa, or British Airways).

.21 Transportation – means the use of aircraft for the exclusive purpose of moving individuals from one airport to another. Under this definition, transportation of personnel on aircraft that either depart from or land on a ship, oil rig, open field, beach, ice, or open water is not considered transportation, but rather mission operations.

.22 Unit – means NOAA Line or Staff Office Region or Laboratory level office (e.g., Alaska Fisheries Science Center National Marine Mammal Laboratory, NMFS Southwest Division Office for Law Enforcement, Climate Monitoring and Diagnostics Laboratory, or NWS Alaska Region).

SECTION 5. STRUCTURE AND RESPONSIBILITIES.

.01 The Director, Office of Marine and Aviation Operations (OMAO). The Director, OMAO, shall broadly administer NOAA's aviation safety policy through the Aviation Safety Program Manager (ASPM).

.02 NOAA Aviation Safety Board (NASB).

a. The NASB is composed of the following personnel:

Voting Members:

- Aviation Safety Program Manager (ASPM) – Chairperson
- NOAA Aircraft Operations Center (AOC) Representative
- NOAA Safety Office Representative
- National Marine Fisheries Service (NMFS) Representative
- National Ocean Service (NOS) Representative
- Oceanic and Atmospheric Research (OAR) Representative
- National Weather Service (NWS) Representative
- National Environmental Satellite, Data and Information Service (NESDIS) Representative

Non-Voting Observers:

- NOAA General Counsel
- NOAA Acquisitions and Grants Office
- NOAA Workforce Management Office
- NOAA Program Planning and Integration

Executive Secretary:

- Aviation Safety Program staff designee

b. Voting members of NASB must meet the aviation safety training and qualification standards outlined in the NASB charter.

c. The NASB shall:

1. approve aviation safety training and ALSE requirements;
2. approve minimum aviation safety standards to be included in NOAA's contracts for aviation services and data services;
3. approve aviation safety and risk assessment tools developed by the NOAA ASP;
4. solicit and address the aviation safety issues and needs of NOAA;
5. review reports from NOAA aviation accidents and potentially dangerous incidents, and recommend preventative measures to the ASPM;
6. review results of NOAA aviation safety audits to monitor compliance with NOAA aviation safety policy;
7. seek pertinent expertise on aviation safety matters before the NASB; and
8. report to the NOAA Safety Council circumstances adversely impacting safety and/or efficiency of the NOAA ASP.

.03 The ASPM shall:

- a. possess significant aviation operational field experience and maintain Interagency Committee for Aviation Policy (ICAP) Federal Aviation Safety Officer credentials;
- b. maintain the NOAA Aircraft Operator Database (NAOD) described in Section 6.05 of this Order;
- c. facilitate the acquisition of aviation safety training identified in the Exhibit to this Order;
- d. acquire, distribute, and maintain ALSE identified in the Exhibit to this Order;
- e. provide aviation safety tools and instruction on the use of such tools, including risk assessment matrices and mishap response checklists;
- f. provide assistance to NOAA contracting officials:
 1. by providing language for inclusion in all relevant contracts and agreements that set forth NOAA airworthiness and safety standards; and
 2. by serving as a source evaluation board and technical evaluation panel advisor to evaluate potential offerors' aviation-related technical proposals;
- g. host an annual NOAA aviation safety conference;
- h. administer the NOAA aviation safety awards program; and

i. maintain a NOAA aircraft accident and incident database, and enter data from NOAA aircraft accidents and incidents into the Federal Aviation Accident Incident Reporting System (AAIRS) as required by 41 CFR 102-33.390, Management of Government Aircraft.

.04 NOAA Line Office Assistant Administrators (AAs) shall:

- a. designate in writing primary and alternate Line Office representatives to the NASB;
- b. hold the Line Office NASB representatives, in their performance appraisals, accountable for NASB duties; and
- c. ensure Line Office compliance with this Order.

.05 NOAA Contracting Officers and Contracting Officers Technical Representatives (COTRs) shall ensure:

- a. contracts and agreements for which the contracting officer is responsible, that secure the use of an aircraft on which NOAA personnel will fly:
 1. are only executed with:
 - (a) aircraft operators listed on the NAOD described in Section 6.05 of this Order; or
 - (b) aircraft operators exempt in accordance with Section 2.02 of this Order; and
 2. include language setting forth NOAA airworthiness and operational safety standards; and
- b. the ASPM or designee is consulted as a source selection board or technical evaluation panel advisor for all contracts and agreements subject to the provisions of this Order in order to evaluate the air service providers' technical proposals for ability to comply with NOAA airworthiness and operational safety standards.

.06 NOAA Aviation Medical Examiner (AME) shall:

- a. medically screen qualified non-crewmembers who request to fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel serving as qualified non-crewmembers on any aircraft for mission operations in the performance of their official duties, to determine fitness for flight:
 1. by expeditiously evaluating responses to questions on the NOAA Health Services Aviation Questionnaire and following up if additional information is provided by the requestor;
 2. by receiving confirmation that the individual holds a valid FAA first, second, or third class medical certificate; or

3. by receiving confirmation that the individual holds a valid Department of Defense Aeromedical Clearance Notice;
- b. issue written authorization in the form of a NOAA Aeromedical Clearance Notice to all personnel medically qualified to fly;
- c. adhere to the FAA third class medical certificate standards regarding currency of a NOAA Aeromedical Clearance Notice (for individuals under 40 years of age it is valid for 36 months, and for individuals 40 and older it is valid for 24 months); and
- d. maintain a secure database of NOAA Health Services Aviation Questionnaire data.

.07 Crewmembers shall:

- a. have crewmember duties specified in their position description or be appointed in writing as a crewmember by the Commanding Officer of AOC;
- b. meet or exceed all crewmember certification and medical standards, training qualifications, flight experience, and flight currency prescribed in the NOAA AOC Aircraft Operations Manual for the type(s) of aircraft and the flight environment exposed to when flying for NOAA;
- c. ensure copies of all crewmember certificates, medical certificates, training received, results from standardization/evaluation check flights, and copies of flight logs are in their aviator information file at NOAA's AOC;
- d. abide by all operational procedures prescribed by the NOAA AOC Aircraft Operations Manual;
- e. notify the NOAA AME of any changes in medical condition that might impact their fitness for flight duty; and
- f. when renting, chartering, or leasing an aircraft to fly operationally for NOAA, do so exclusively from operators listed on the NAOD.

SECTION 6. PROCEDURES.

.01 Type of flight operation. Prior to departure, the Line or Staff Office manager responsible for the flight shall determine whether the flight is for mission operations or transportation (as defined in Section 4 of this Order) in order to determine whether the medical screening, training, and equipment requirements set forth in Sections 6.03 and 6.04 of this Order apply.

.02 NOAA personnel are authorized to fly on the following aircraft:

- a. NOAA aircraft;
- b. non-NOAA aircraft owned by an air service provider listed on the NAOD;

c. non-NOAA aircraft owned and operated by other departments, agencies, or instrumentalities of the United States; by state or local governments; or by the governments of countries that meet the Federal Aviation Administration International Safety Assessment Program Category 1 rating (including the armed forces of those countries); or

d. privately owned aircraft (POA) owned by NOAA personnel, provided that: use of a POA is authorized by NOAA in accordance with the Federal Travel Regulations, the POA is used exclusively for transportation, and the pilot carries no other personnel onboard.

.03 NOAA personnel are authorized to fly mission operations:

a. while serving as a qualified non-crewmember, when the individual:

1. possesses a valid NOAA Aeromedical Clearance Notice;

2. has completed the appropriate aviation safety training prescribed in the Exhibit to this Order, or if deemed an observer (see definition in Section 4 of this Order) by the Line or Staff Office manager responsible for the flight, has received a pre-flight safety briefing from a member of the aircraft flight crew; and

3. possesses, or has immediately accessible in the aircraft, applicable ALSE prescribed in the Exhibit to this Order; or

b. while serving as a crewmember, when the individual meets the medical standards, aviation safety training, and ALSE requirements set forth in the NOAA AOC Aircraft Operations Manual for the position assigned.

.04 Non-NOAA personnel may be authorized to fly on aircraft owned or operated by NOAA. In instances involving mission operations, non-NOAA personnel serving as qualified non-crewmembers must satisfy the following conditions:

a. possession of a valid NOAA Aeromedical Clearance Notice;

b. completion of appropriate aviation safety training prescribed in the Exhibit to this Order, or if deemed an observer (see definition in Section 4 of this Order) by the Line or Staff Office manager responsible for the flight, receipt of a pre-flight safety briefing from a member of the aircraft flight crew; and

c. possession of, or has immediate access in the aircraft to, applicable ALSE prescribed in the Exhibit to this Order.

.05 NOAA Aircraft Operator Database (NAOD). The NOAA ASPM shall maintain a web-based NAOD, which is a list of air service providers (both foreign and domestic) qualified to provide aviation services to NOAA. Operators in this database were found to meet or exceed NOAA airworthiness and operational safety standards.

a. Use of aircraft in the NAOD shall be limited to those types of operations for which they have been qualified (e.g., an aircraft qualified for remote sensing may not be used for transportation unless specifically cleared for transportation). POA will not be listed on the NAOD.

b. NOAA personnel may request additional aircraft operators be evaluated for inclusion on the NAOD by submission of a written request to the NOAA ASPM.

.06 Medical Screening for qualified non-crewmembers requesting clearance to fly on mission operations will be initiated by the requester filling out a secure web-based NOAA Health Services Aviation Questionnaire.

a. Upon submission of the completed questionnaire:

1. a NOAA Aeromedical Clearance Notice will be issued that can be printed out; or

2. the requester will receive notice that additional information must be provided to the NOAA AME for evaluation;

b. additional screening by the NOAA AME will result in the requestor receiving in writing:

1. a NOAA Aeromedical Clearance Notice; or

2. a NOAA Aeromedical Grounding Notice; and

c. NOAA supervisors will be notified of all personnel under their supervision who received a NOAA Aeromedical Grounding Notice and are deemed not medically qualified for NOAA mission operations.

.07 Aviation Safety Training is required for all personnel serving as qualified non-crewmembers unless they are deemed an observer by the Line or Staff Office manager responsible for the flight. The Exhibit to this Order lists aviation safety training required for NOAA personnel who fly as qualified non-crewmembers on any aircraft for mission operations in the performance of their official duties and for all qualified non-crewmembers who fly on aircraft owned or operated by NOAA for mission operations. Each Line and Staff Office shall be responsible for ensuring all individuals under their supervision who are required to fly receive the aviation safety training required by this Order.

.08 ALSE will be provided to individuals who fly on aircraft owned or operated by NOAA. Examples of NOAA ALSE are in the Exhibit to this Order. ALSE shall be:

a. issued by the ASP to NOAA units in sufficient quantity to support unit flight requirements;

b. issued to the individual by the NOAA unit, or provided by the aircraft operator as required by contractual agreement;

c. maintained and inspected to industry standards by the ASP if owned by NOAA; and

d. worn by, or readily accessible to, personnel at all times while in flight.

.09 Aircraft Accidents and Incidents are required to be reported to the National Transportation Safety Board (NTSB) as prescribed by 49 CFR 830, "Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records."

a. All NTSB-reportable accidents and incidents that occur while conducting official NOAA business must be reported by the aircraft operator working under contract or other written agreement with NOAA:

1. to the NOAA ASPM; and

2. to the NOAA Contracting Officer overseeing the contract.

b. NOAA personnel involved in an accident, incident, or near-miss involving an aircraft owned or operated by NOAA must report the occurrence in accordance with NOAA Administrative Order (NAO) 209-1, NOAA Safety Policy, and any superseding Department of Commerce (DOC) and/or NOAA guidance.

c. Accidents and incidents involving aircraft owned or operated by NOAA will be investigated in accordance with the policies and procedures set forth by the NOAA Incident Investigation Program.

.10 Requests for Waiver to provisions of this Order shall be presented in writing to the Director, OMAO, with a copy to the ASPM. The Director, OMAO, is the approval authority for all waivers to provisions of this Order.

SECTION 7. EFFECT ON OTHER ISSUANCES.

Use of aircraft for NOAA operations is also governed by NAO 216-104, Management and Utilization of Aircraft, and by NAO 217-106, Transportation of Nongovernment Personnel as Passengers on NOAA Vessels, Aircraft, and Motor Vehicles. This Order should be read in conjunction with the others. If there is a conflict, this Order shall govern.

Signed

Under Secretary of Commerce for
Oceans and Atmosphere

Office of Primary Interest:
Office of Marine and Aviation Operations (OMAO)

Attachments:

Appendix – List of Acronyms

Exhibit – NOAA Aviation Safety Training and ALSE Requirements

**APPENDIX
LIST OF ACRONYMS**

AA – NOAA Line Office Assistant Administrator
AAIRS – Aviation Accident Incident Reporting System
ALSE – Aviation Life Support Equipment
AME – Aviation Medical Examiner
AOC – (OMAO) Aircraft Operations Center
ASP – (NOAA) Aviation Safety Program
ASPM – Aviation Safety Program Manager
COTR – Contracting Officer’s Technical Representative
FAA – Federal Aviation Administration
ICAO – International Civil Aviation Organization
ICAP – Interagency Committee for Aviation Policy
NAO – NOAA Administrative Order
NAOD – NOAA Aircraft Operator Database
NASB – NOAA Aviation Safety Board
NESDIS – National Environmental Satellite, Data and Information Service
NMFS – National Marine Fisheries Service
NOS – National Ocean Service
NTSB – National Transportation Safety Board
NWS – National Weather Service
OMAO – Office of Marine and Aviation Operations
OAR – Oceanic and Atmospheric Research
POA – Privately Owned Aircraft

EXHIBIT NOAA AVIATION SAFETY TRAINING AND ALSE REQUIREMENTS

Note: Aviation Safety Training and ALSE Requirements presented in this exhibit are subject to modification by the NOAA Aviation Safety Board. The most current information will be posted on the NOAA Aviation Safety web site.

Aviation Safety Training						
Training Method		NOAA E-Learning		Egress Video	Classroom and Hands-on	Classroom and Hands-on
Training Frequency		annual	annual	annual	once every 5 years	one time
Flight Purpose and Environmental Conditions	Personnel	NOAA Aviation Policy and Procedures	Basic Aviation Safety and Survival	Water Ditching, Safety and Survival		Aviation Safety and Cold Weather Survival
Mission Operations over land	NOAA	√	√			
	Non-NOAA		√			
Mission Operations over water	NOAA	√	√	√	√	
	Non-NOAA		√	√	√	
Mission Operations in cold weather (<32F air temp)	NOAA	√	√			√
	Non-NOAA		√			√

Note: NOAA Personnel may request more frequent training than what is listed above

Aviation Life Support Equipment (ALSE) required to be carried in the aircraft or worn by personnel				
Flight Purpose and Environmental Conditions	Life Raft of sufficient capacity for all aircraft occupants	Personal Floatation Device (PFD) (Life Vest)	Personal Emergency Locator Transmitter	Anti-Exposure Suit
Mission Operations overwater	√	√	√	
Mission Operations over cold water (<59F water temp and/or <32F air temp)	√	√	√	√

Note: Personal issue and/or use of a Helicopter Emergency Egress Device (HEED), Helicopter Aircrew Breathing Device (HABD), or other compressed air breathing device for underwater egress is only authorized for individuals who have received training to use the particular device.

DEPARTMENT OF COMMERCE**International Trade Administration**

(A-583-830)

Stainless Steel Plate in Coils from Taiwan; Notice of Extension of Time Limits for Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: October 5, 2005.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood or Nichole Zink, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3874 and (202) 482-0049, respectively.

SUPPLEMENTARY INFORMATION:**Background**

The Department of Commerce (the Department) published an antidumping duty order on stainless steel plate in coils (SSPC) from Taiwan on May 21, 1999 (*See Antidumping Duty Orders; Certain Stainless Steel Plate in Coils From Belgium, Canada, Italy, the Republic of Korea, South Africa, and Taiwan*, 64 FR 27756). On June 30, 2004, the Department published a notice of initiation of an administrative review of the order on SSPC from Taiwan for the period May 1, 2003, through April 30, 2004. *See* 69 FR 39409. The respondents in this administrative review are: Ta Chen Stainless Pipe Co., Ltd.; Yieh United Steel Corporation; China Steel Corporation; Tang Eng Iron Works; PFP Taiwan Co., Ltd.; Yieh Loong Enterprise Co., Ltd.; Yieh Trading Co.; Goang Jau Shing Enterprise Co., Ltd.; Yieh Mau Corporation; Chien Shing Stainless Co., Ltd.; East Tack Enterprise Co., Ltd.; Shing Shong Ta Metal Ind. Co., Ltd.; Sinkang Industries, Ltd.; Chang Mien Industries Co., Ltd.; and Chain Chin Industrial Co., Ltd. On June 7, 2005, the Department published in the **Federal Register** the notice of its preliminary intent to rescind this review. *See Stainless Steel Plate in Coils from Taiwan; Preliminary Rescission of Antidumping Duty Administrative Review*, 70 FR 33083. A final decision is currently due no later than October 5, 2005.

Extension of the Time Limit for Final Results of Administrative Review

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires

the Department to make a final determination in an administrative review within 120 days after the date on which the preliminary determination is published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the final results to 180 days (or 300 days if the Department does not extend the time limit for the preliminary results) from the date of publication of the preliminary results.

In accordance with section 751(a)(3)(A) of the Act, and 19 CFR 351.213(h)(2), the Department determines that it is not practicable to complete the review within 120 days because we are currently considering whether to solicit additional data and/or comments regarding shipments of subject merchandise during the period of review. Because it is not practicable to complete this administrative review within the time limit mandated by section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department is fully extending the time limit for completion of the final results of this administrative review to 180 days, until December 4, 2005. However, December 4, 2005, falls on Sunday, and it is the Department's long-standing practice to issue a determination the next business day when the statutory deadline falls on a weekend, federal holiday, or any other day when the Department is closed. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005). Accordingly, the deadline for completion of the final results is December 5, 2005.

This notice is issued and published in accordance with section 751(a)(3)(A) of the Act and section 351.213(h)(2) of the Department's regulations.

Dated: September 29, 2005.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E5-5455 Filed 10-4-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Aviation Safety Program**

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before December 5, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Debora Barr, (301) 713-3435, extension 103 or Debora.R.Barr@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

NOAA has a responsibility to provide a safe working environment for its workforce and partners who are exposed to the risks associated with flying on behalf of the Agency. NOAA's aviation safety policy requires all individuals who fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel who fly on any aircraft for mission operations in the performance of their official duties to be medically screened to identify individuals that could be placed in a work environment (flight) with the potential to aggravate existing medical conditions.

NOAA Marine and Aviation Operations (NMAO) administers NOAA's aviation safety policy through the Aviation Safety Program. NMAO requests medical history information from individuals requesting clearance to fly on behalf of NOAA mission operations to determine the individual's fitness for flight. This information, upon receipt, is reviewed by the NOAA Aviation Medical Examiner to determine whether or not to grant a NOAA Aeromedical Clearance Notice, receipt of which, authorizes participation in flight activities on behalf of NOAA.

II. Method of Collection

Applicants submit information via a secure web-based form or paper application. Telephone calls may be

required to clarify information submitted in the application. Methods of submittal include the Internet and facsimile transmission.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Not-for-profit

institutions, Federal Government, State, local or Tribal government.

Estimated Number of Respondents: 1,000.

Estimated Time Per Response: 15 minutes.

Estimated Total Annual Burden Hours: 250.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: September 29, 2005.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 05-19893 Filed 10-4-05; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090205B]

Large Coastal Shark 2005/2006 Stock Assessment Data Workshop; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of workshop; correction.

SUMMARY: This document corrects a September 15, 2005, **Federal Register** notice that announced NMFS' large coastal shark (LCS) stock assessment Data workshop. That notice provided an incorrect address for the location of the workshop. This document provides the correct address. The date and time of the workshop remain unchanged.

DATES: The Data workshop will start at 1 p.m. on Monday, October 31, 2005, and will conclude at 1 p.m. on Friday, November 4, 2005.

ADDRESSES: The correct address for the Data workshop is the Bay Point Marriott Resort, 4200 Marriott Drive, Panama City Beach, FL 32408.

FOR FURTHER INFORMATION CONTACT: Julie Neer at (850) 234-6541; or Karyl Brewster-Geisz at (301) 713-2347, fax (301) 713-1917.

SUPPLEMENTARY INFORMATION:

Background

NMFS announced the Data workshop, the first of three workshops for the LCS 2005/2006 stock assessment, in a **Federal Register** notice on September 15, 2005 (70 FR 54537). The Data workshop will be held from October 31 - November 4, 2005, and will be conducted in a manner similar to the Southeast Data, Assessment, and Review (SEDAR) process. Further details regarding these workshops are provided in the September 15, 2005, notice and are not repeated here.

Need for Correction

In the original **Federal Register** notice, the address for the Data workshop contains an error and is in need of correction.

Correction

Accordingly, the September 15, 2005 (70 FR 54537) **Federal Register** notice concerning NMFS' LCS 2005/2006 stock assessment Data workshop that is the subject of FR Doc. 05-18355, is corrected as follows:

On page 54537, column 3, in the **ADDRESSES** section, line 3, the language "4200 Marriott Drive, Bay Point, FL" is corrected to read "4200 Marriott Drive, Panama City Beach, FL".

Dated: September 29, 2005.

Alan D. Risenhoover,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 05-20018 Filed 10-4-05; 8:45 am]

BILLING CODE 3510-22-S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Designations under the Textile and Apparel Commercial Availability Provision of the United States-Caribbean Basin Trade Partnership Act (CBTPA) and the Andean Trade Promotion and Drug Eradication Act (ATPDEA)

September 29, 2005.

AGENCY: The Committee for the Implementation of Textile Agreements (CITA)

ACTION: Designation.

EFFECTIVE DATE: October 5, 2005.

SUMMARY: CITA has determined that certain compacted, plied, ring spun cotton yarns, with yarn counts in the range from 42 to 102 metric, classified in subheadings 5205.42.0020, 5205.43.0020, 5205.44.0020, 5205.46.0020, and 5205.47.0020 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in U.S. formed fabric used in men's and boys' woven cotton trousers and shirts, and women's and girls' woven cotton trousers, shirts, and blouses, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA and ATPDEA. CITA hereby designates such apparel articles, that are both cut and sewn or otherwise assembled in one or more eligible CBTPA beneficiary country from U.S. formed fabrics containing such yarns, as eligible to enter free of quotas and duties under HTSUS subheading 9820.11.27, provided all other yarns used in the apparel articles are U.S. formed and all other fabrics used in the apparel articles are U.S. formed from yarns wholly formed in the United States. CITA also hereby designates such yarns as eligible under HTSUS subheading 9821.11.10, if used in the referenced apparel articles, that are sewn or otherwise assembled in one or more eligible ATPDEA beneficiary countries from U.S. formed fabrics containing such yarns. The referenced apparel articles from U.S. formed fabrics containing such yarns shall be eligible to enter free of quotas and duties under this subheading, provided all other yarns used in the apparel articles are U.S. formed and all other fabrics used in the apparel articles are U.S. formed from yarns wholly formed in the United States. CITA notes that this designation under the ATPDEA renders apparel articles, sewn or otherwise assembled in one or more eligible ATPDEA beneficiary countries, containing such yarns as eligible for quota-free and duty-