

economic impact on a substantial number of small entities. The Regulatory Flexibility Act is intended to encourage Federal Agencies to utilize innovative administrative procedures in dealing with individuals, small businesses, small organizations, and small governmental bodies that would otherwise be unnecessarily adversely affected by Federal regulations. The provisions included in this rule will not impact a substantial number of small entities to a greater extent than large entities. Therefore, no regulatory flexibility analysis under the Regulatory Flexibility Act is necessary.

#### Executive Order 13132, Federalism

The policies contained in this rule do not have any substantial direct effect on States, the relationship between the National Government and the States, or the distribution of power and responsibilities among the various levels of government. Nor does this rule impose substantial direct compliance costs on State and local Governments. Therefore, consultation with the States is not required.

#### Discussion

This rule clarifies the policy of the RBS concerning the statutory mandate imposed on the Agency by the Debt Collection Improvement Act of 1996 (104 Pub. L. 134) (DCIA).

Section 3701 of 31 U.S.C. defines "claim" or "debt" in part to include funds owed on account of loans guaranteed by the Government. This rule puts the guarantee borrower on notice that RBS will attempt to collect from them through Treasury Offset and any other available remedies when a final loss claim is paid to a guaranteed lender. It provides that a debt for purposes of the DCIA is established upon payment of a loss claim to the original guarantee-lender.

The Debt Collection Act of 1982 (Act) (97 Pub. L. 365) provides for the use of administrative, salary and Internal Revenue Service (IRS) offsets by Government Agencies to collect delinquent Federal debts. Any money that is or may become payable from the United States to an individual or entity indebted to RBS may be offset for the collection of a debt owed to RBS. In addition, money may be collected from the debtor's retirement payments for delinquent amounts owed to RBS if the debtor is an employee or retiree of a Federal Agency, the U.S. Postal Service, the Postal Rate Commission, or a member of the U.S. Armed Forces or the Reserve. Current regulations published for RBS programs in title 7 of the Code of Federal Regulations do not expressly

discuss at what point a debt to the Federal Government is established for purposes of the remedies available under the DCIA; this rulemaking expressly provides that the debt is created at the time the loss claim is paid to the guaranteed lender.

This rule is consistent with the Act and clarifies that, in cases of guaranteed loans, a Federal debt is established when a guaranteed loss claim is paid. The loss claim paid may or may not be a final loss claim for purposes of this rule. Accordingly, if several claims are paid over time, separate debts are created accordingly. RBS will exercise all remedies available for collection, including those provided by the Debt Collection Improvement Act of 1996. RBS has already implemented a practice of referring debts arising from direct loans to the U.S. Department of the Treasury.

The Agency is in the process of revising the applicable forms to include the applicant's certification and acknowledgment that any amounts paid by RBS on account of liabilities of the guaranteed loan borrower will constitute a Federal debt to RBS on the part of the borrower. The forms will provide direct notice to interested applicants of RBS' debt collection policy and memorialize their understanding and acknowledgment of RBS' collection policy.

RBS loan officials will provide notification to the B&I guaranteed borrower of their applicable rights and potential collection actions by sending a 60 day due process letter.

#### List of Subjects in 7 CFR Part 1951

Accounting, Account servicing, Credit, Debt collection, Loan programs—agriculture, Low and moderate income housing loans—servicing, Offsets of Federal payments.

■ Accordingly, chapter VXIII, title 7, Code of Federal Regulations, is amended as follows:

#### PART 1951—SERVICING AND COLLECTIONS

■ 1. The authority citation for part 1951 continues to read as follows:

**Authority:** 5 U.S.C. 301; 7 U.S.C. 1932 Note; 7 U.S.C. 1989; 31 U.S.C. 3716; 42 U.S.C. 1480.

#### Subpart C—Offsets of Federal Payments to USDA Agency Borrowers

■ 2. Section 1951.133 is added to read as follows:

#### § 1951.133 Establishment of Federal Debt.

Any amounts paid by RBS on account of liabilities of a business and industry

(B&I) program guaranteed loan borrower will constitute a Federal debt owing to RBS by the B&I guaranteed loan borrower. In such case, the RBS may use all remedies available to it, including offset under the Debt Collection Improvement Act of 1996 (DCIA), to collect the debt from the borrower. Interest charges will be established at the note rate of the guaranteed loan on the date a loss claim is paid. RBS may, at its option, refer such debt in all or part to the Department of the Treasury, before a final loss claim is determined.

Dated: January 14, 2004.

**John Rosso,**

*Administrator, Rural Business-Cooperative Service.*

[FR Doc. 04-1261 Filed 1-21-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-NM-275-AD; Amendment 39-13436; AD 2004-02-01]

RIN 2120-AA64

#### Airworthiness Directives; Gulfstream Model G-V Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Gulfstream Model G-V series airplanes. This action requires a one-time inspection of the landing gear selector dump valve (LGSDV) to determine the serial number (S/N). For any part with an affected S/N, or for any part for which the S/N cannot be determined, this action requires replacing the LGSDV with a cleaned part having an S/N within the affected range; or replacing the LGSDV with a new or serviceable part that has an S/N outside the affected range. This action is necessary to prevent uncommanded unlocking of the landing gear, which could result in collapse of the landing gear. This action is intended to address the identified unsafe condition.

**DATES:** Effective February 6, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 6, 2004.

Comments for inclusion in the Rules Docket must be received on or before February 23, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2003-NM-275-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: [9-anm-iarcomment@faa.gov](mailto:9-anm-iarcomment@faa.gov). Comments sent via the Internet must contain "Docket No. 2003-NM-275-AD" in the subject line and need not be submitted in triplicate. Comments sent via fax or the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in this AD may be obtained from Gulfstream Aerospace Corporation, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-9980. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Darby Mirocha, Aerospace Engineer, Systems and Flight Test Branch, ACE-116A, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703-6095; fax (770) 703-6097.

**SUPPLEMENTARY INFORMATION:** The FAA has received reports that an unsafe condition may exist on certain Gulfstream Model G-V series airplanes. While on approach, a Model G-V series airplane experienced uncommanded unlocking of the landing gear following the initial "down and locked" indication. The airplane landed safely after the flightcrew used the emergency landing gear extension system. Investigators found foreign object debris in the landing gear selector dump valve (LGSDV). Subsequent investigation revealed that valves within a certain range of serial numbers (S/Ns) were not adequately cleaned during manufacturing. This condition, if not corrected, could result in uncommanded unlocking of the landing

gear, which could cause the landing gear to collapse.

#### **Explanation of Relevant Service Information**

The FAA has reviewed and approved Gulfstream GV Customer Bulletin 114, dated December 15, 2003, which describes procedures for a one-time inspection of the LGSDV to determine the S/N of the valve. For any LGSDV with an affected S/N, the customer bulletin describes procedures for replacing the valve with a cleaned, new, or serviceable valve. Accomplishment of the action specified in the customer bulletin is intended to adequately address the identified unsafe condition.

#### **Explanation of Requirements of Rule**

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent uncommanded unlocking of the landing gear, which could result in collapse of the landing gear. This AD requires a one-time inspection of the LGSDV to determine the S/N of the valve. For any LGSDV with an affected S/N, or for any LGSDV for which the S/N cannot be determined, this AD requires replacement of the LGSDV with a cleaned part having an S/N within the affected range, or with a new or serviceable part having an S/N outside the affected range. The actions are required to be accomplished in accordance with the customer bulletin described previously, except as discussed below.

#### **Difference Between the AD and the Customer Bulletin**

Operators should note that, although the Accomplishment Instructions of the referenced customer bulletin describe procedures for submitting a service reply card to the manufacturer, this proposed AD would not require those actions.

#### **Determination of Rule's Effective Date**

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons

are invited to comment on this rule by submitting such written data, views, or arguments as they may desire.

Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the customer bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2003-NM-275-AD." The postcard will be date stamped and returned to the commenter.

#### **Regulatory Impact**

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined

further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

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

#### § 39.13 [Amended]

■ 2. Section 39.13 is amended by adding the following new airworthiness directive:

#### 2004-02-01 Gulfstream Aerospace

**Corporation:** Amendment 39-13436.  
Docket 2003-NM-275-AD.

**Applicability:** Model G-V series airplanes, certificated in any category; equipped with a landing gear selector dump valve (LGSDV) having part number 1159SCH512-7, -9, or -19.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent uncommanded unlocking of the landing gear, which could result in collapse of the landing gear, accomplish the following:

#### Inspection To Determine Serial Number

(a) Within 45 days after the effective date of this AD: Inspect the LGSDV located in the main wheel well to determine whether any serial number (S/N) listed in paragraph II.B. of Part I of the Accomplishment Instructions of Gulfstream GV Customer Bulletin 114, dated December 15, 2003, is installed.

#### Replacement, if Necessary

(b) Within 90 days after the effective date of this AD: Replace, per paragraph (b)(1) or (b)(2) of this AD, any LGSDV which has been determined by the inspection required by paragraph (a) of this AD to have an affected S/N; or any LGSDV for which the S/N cannot be determined. Replace in accordance with Part II of the Accomplishment Instructions of Gulfstream GV Customer Bulletin 114, dated December 15, 2003.

(1) Replace the affected LGSDV with an LGSDV having an S/N inside the affected range that has been cleaned in accordance with the customer bulletin.

(2) Replace the affected LGSDV with a new or serviceable part having an S/N outside the affected range.

#### Parts Installation

(c) As of the effective date of this AD, no person may install on any airplane an LGSDV having an S/N listed in paragraph II.B. of Part I of the Accomplishment Instructions of Gulfstream Customer Bulletin 114, dated December 15, 2003, unless it has been cleaned in accordance with the customer bulletin.

#### No Reporting Requirement

(d) Although the customer bulletin referenced in this AD specifies to submit a service reply card to the manufacturer, this AD does not include such a requirement.

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, FAA, Atlanta Aircraft Certification Office, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) The actions shall be done in accordance with Gulfstream GV Customer Bulletin 114, dated December 15, 2003. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Gulfstream Aerospace Corporation, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-9980. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### Effective Date

(g) This amendment becomes effective on February 6, 2004.

Issued in Renton, Washington, on January 8, 2004.

**Ali Bahrami,**

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

[FR Doc. 04-965 Filed 1-21-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**[Docket No. FAA-2003-16415; Airspace Docket No. 03-AEA-16]**

#### Establishment of Class E Airspace; Calverton, NY

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Calverton, NY. Controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain aircraft operating into Calverton Executive Airpark Airport, Calverton, NY under Instrument Flight Rules (IFR).

**EFFECTIVE DATES:** 0901 UTC June 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On December 9, 2003, a notice proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of Calverton Executive Airpark Airport, Calverton, NY was published in the **Federal Register** (68 FR 68575-68576). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA on or before January 8, 2004. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace area designations for airspace extending upward from the surface of the earth are published in paragraph 6005 of FAA Order 7400.9L, dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published in the Order.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) provides controlled Class E airspace extending upward from 700 feet above the surface for aircraft conducting IFR operations within a 6-mile radius of Calverton Executive Airpark Airport, Calverton, NY.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action"