

Regulatory Flexibility Act

The Federal Trade Commission has determined under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that this regulation will not have a significant economic impact on a substantial number of small entities because it affects only Federal employees.

Paperwork Reduction Act

The Federal Trade Commission has determined that the Paperwork Reduction Act (44 U.S.C. chapter 35) does not apply because this regulation does not contain any information collection requirements that require the approval of the Office of Management and Budget.

List of Subjects in 5 CFR Part 5701

Conflicts of interests, Government employees.

By direction of the Commission.

Dated: July 28, 1998.

Donald S. Clark,

Secretary, Federal Trade Commission.

Approved: August 4, 1998.

Stephen D. Potts,

Director, Office of Government Ethics.

For the reasons set forth in the preamble, the Federal Trade Commission, with the concurrence of the Office of Government Ethics, amends 5 CFR part 5701 as follows:

PART 5701—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES FOR THE FEDERAL TRADE COMMISSION

1. The authority citation for part 5701 is revised to read as follows:

Authority: 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); 15 U.S.C. 46(g); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR 2635.105, 2635.803, 2635.808(c).

2. A new § 5701.102 is added to read as follows:

§ 5701.102 Fundraising activities

When engaging in personal fundraising, as described at 5 CFR 2635.808(c), an employee of the Federal Trade Commission may, notwithstanding the prohibition of § 2635.808(c)(1)(i), personally solicit funds from a person who is a prohibited source only under 5 CFR 2635.203(d)(3) (*i.e.*, because the person "conducts activities regulated by" the Commission). The other provisions of § 2635.808(c) continue to apply to any such personal fundraising.

Example 1: A Federal Trade Commission employee is president of the local branch of

her college alumni association. The association is seeking contributions from local businesses. The employee may, during her off-duty hours, seek a contribution from a company that is regulated by the Commission, but not from one that she knows is currently under Commission investigation or is seeking official action by the Commission, does business or seeks to do business with the Commission, or has interests that may be substantially affected by the employee's job. While the Standards of Conduct provide that companies under the agency's enforcement authority generally are prohibited sources of an employee's fundraising in a personal capacity, § 5701.102 provides that employees of the FTC may seek charitable contributions from an entity that is a prohibited source only because its activities are subject to agency regulation.

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98-CE-05-AD; Amendment 39-10704; AD 98-17-02]

RIN 2120-AA64

Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASW-19 Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Alexander Schleicher Segelflugzeugbau (Alexander Schleicher) Model ASW-19 sailplanes. This AD requires inspecting the tow release cable guide fittings for the correct mounting, and, if the fittings are mounted in the front of the bulkhead, moving the fitting to the rear of the bulkhead and adjusting the neutral travel of the cable. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to prevent premature release of the tow cable during take-off, which could result in loss of the sailplane.

DATES: Effective September 26, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 26, 1998.

ADDRESSES: Service information that applies to this AD may be obtained from Alexander Schleicher Segelflugzeugbau,

6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-05-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Kiesov, Project Officer, Sailplanes/Gliders, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION:**Events Leading to the Issuance of This AD**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Alexander Schleicher Model ASW-19 sailplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on May 19, 1998 (63 FR 27514). The NPRM proposed to require inspecting the tow release cable guide fitting for the proper location on the bulkhead. If the cable guide release fitting is mounted on the front of the bulkhead, the NPRM proposed to require removing the cable guide release fitting, remounting it on the rear of the bulkhead, and adjusting the cable's neutral travel. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Alexander Schleicher Technical Note No. 18, dated July 3, 1984.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 100 sailplanes in the U.S. registry will be affected by this AD.

Accomplishing the inspection will take approximately 1 workhour per sailplane, at an average labor rate of approximately \$60 an hour. Based on these figures, the total cost impact of the inspection on U.S. operators is estimated to be \$6,000, or \$60 per sailplane.

The modification will take approximately 2 workhours, at an average labor rate of \$60 per hour. Parts cost approximately \$20 per sailplane. Based on these figures, the total cost impact of the modification on U.S. operators is estimated to be \$14,000, or \$140 per sailplane.

Compliance Time of This AD

The compliance time of this AD is in calendar time instead of hours time-in-service (TIS). The average monthly usage of the affected sailplane ranges throughout the fleet. For example, one owner may operate the sailplane 25 hours TIS in one week, while another operator may operate the sailplane 25 hours TIS in one year. In order to ensure that all of the owners/operators of the affected sailplane have inspected the mount location of the tow release cable guide fitting within a reasonable amount of time, the FAA is utilizing a compliance time of 90 calendar days after the effective date of this AD.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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 a new airworthiness directive (AD) to read as follows:

98-17-02 Alexander Schleicher

Segelflugzeugbau: Amendment 39-10704; Docket No. 98-CE-05-AD.

Applicability: Model ASW-19 sailplanes, serial numbers 19001 through 19405, certificated in any category.

Note 1: This AD applies to each sailplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For sailplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required within the next 90 days after the effective date of this AD, unless already accomplished.

To prevent premature release of the tow cable during take-off, which could result in loss of the sailplane, accomplish the following:

(a) Inspect the tow release cable guide fittings for a front or rear mount on the bulkhead of the sailplane in accordance with the Action section in Alexander Schleicher Technical Note (TN) No. 18, dated July 3, 1984.

(b) If the cable guide fitting is mounted on the front of the bulkhead, prior to further flight, remove the fitting and remount the cable guide fitting on the rear of the bulkhead in accordance with the Action section in Alexander Schleicher TN No. 18, dated July 3, 1984.

(c) After remounting the cable fitting, prior to further flight, check the neutral travel of the cable and adjust if necessary, in accordance with the Actions section in Alexander Schleicher TN No. 18, dated July 3, 1984.

(d) 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 sailplane to a location where the requirements of this AD can be accomplished.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(f) Questions or technical information related to Alexander Schleicher Technical Note No. 18, dated July 3, 1984, should be directed to Alexander Schleicher Segelflugzeugbau, 6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany; telephone: 49.6658.890 or 49.6658.8920; facsimile: 49.6658.8923 or 49.6658.8940. This service information may be examined at the FAA, entral Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) The inspection and modification required by this AD shall be done in accordance with Alexander Schleicher Technical Note No. 18, dated July 3, 1984. 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 to Alexander Schleicher Segelflugzeugbau, 6416 Poppenhausen, Wasserkuppe, Federal Republic of Germany. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in German AD No. 84-115, dated July 16, 1984.

(h) This amendment becomes effective on September 26, 1998.

Issued in Kansas City, Missouri, on August 4, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

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