

## 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 to read as follows:

#### 2011-12-07 Eurocopter France

(Eurocopter): Amendment 39-16714; Docket No. FAA-2011-0551; Directorate Identifier 2009-SW-013-AD.

**Applicability:** Models SA-365C, SA-365C1, SA-365C2, SA-365N, SA-365N1, AS-365N2, AS 365 N3, and SA-366G1 helicopters; certificated in any category.

**Compliance:** Within 10 hours time-in-service (TIS), and thereafter at intervals not to exceed 10 hours TIS.

To prevent the failure of the Starflex star (Starflex) arm, high amplitude vibrations in flight, and subsequent loss of control of the helicopter, accomplish the following:

(a) Visually inspect the adhesive bead between the bushing and the Starflex arm for a crack, a gap, or loss of the adhesive bead, and inspect the Starflex arm ends for delamination in accordance with the Accomplishment Instructions, paragraph 2.B.1 and 2.B.2 of Eurocopter Emergency Alert Service Bulletin (EASB) No. 05.00.51 for the 365N series helicopters, No. 05.35 for the 366G1 model helicopter, or No. 05.28 for the 365C series helicopters, all Revision 3, and all dated August 18, 2008.

**Note 1:** The one Eurocopter EASB contains four different service bulletin numbers: No. 05.00.51, No. 05.35; and No. 05.28 for the model helicopters affected by this AD; and No. 05.00.21 for non-type certificated military helicopters.

(b) If there is a crack in the shockproof paint around the entire adhesive bead where the Starflex arm joins the bushing (as shown in Figure 2 of the applicable EASB), a gap between the adhesive bead and the bushing (as shown in Figure 3 of the applicable EASB), delamination of a Starflex arm end (as shown in Figure 4 of the applicable EASB), or loss of adhesive bead (as shown in Figure 5 of the applicable EASB), replace the Starflex before further flight.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Safety

Management Group, Attn: DOT/FAA Southwest Region, Jim Grigg, ASW-112, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5126; fax: (817) 222-5961, for information about previously approved alternative methods of compliance.

(d) The Joint Aircraft System/Component (JASC) Code is 6200: Main Rotor System.

(e) The inspection shall be done in accordance with the specified portions of Eurocopter France Emergency Alert Service Bulletins No. 05.00.51, No. 05.35, or No. 05.28. All three of the Alert Service Bulletins are Revision 3 and all are dated August 18, 2008. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053-4005, telephone (800) 232-0323, fax (972) 641-3710, or at <http://www.eurocopter.com>. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

This amendment becomes effective on July 5, 2011.

**Note 2:** The subject of this AD is addressed in European Aviation Safety Agency AD No. 2008-0165, dated August 28, 2008.

Issued in Fort Worth, Texas, on May 25, 2011.

**Kim Smith,**

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2011-14248 Filed 6-16-11; 8:45 am]

**BILLING CODE 4910-13-P**

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 200

[Release No. 34-64649]

### Delegation of Authority to the Director of Its Division of Enforcement

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is amending its rules to delegate authority to the Director of the Division of Enforcement ("Division") to issue witness immunity orders to compel individuals to give testimony or provide other information. This delegation is intended to conserve Commission resources, enhance the Division's ability to detect violations of the Federal securities laws, increase the

effectiveness and efficiency of the Division's investigations, and improve the success of the Commission's enforcement actions.

**DATES:** *Effective Date:* June 17, 2011.

**FOR FURTHER INFORMATION CONTACT:** Samuel Waldon, Assistant Chief Counsel, (202) 551-4710.

**SUPPLEMENTARY INFORMATION:** The Commission is amending its rules governing delegations of authority to the Director of the Division of Enforcement. The amendment to Rule 30-4(a)(14) (17 CFR 200.30-4(a)(14)) authorizes the Division Director to issue orders to compel individuals to give testimony or provide other information pursuant to 18 U.S.C. 6002-6004. This delegation follows on the Commission's prior delegation, effective January 19, 2010, of the authority to submit witness immunity requests to the Department of Justice, in connection with judicial proceedings, to compel testimony or the production of other information by witnesses who have provided or have the potential to provide substantial assistance in the Commission's investigations and related enforcement actions. See 75 FR 3122 (January 19, 2010). This delegation is intended to further conserve Commission resources, enhance the Division's ability to detect violations of the Federal securities laws, increase the effectiveness and efficiency of the Division's investigations, and improve the success of the Commission's enforcement actions. Notwithstanding anything in the foregoing, in any case in which the Director believes it appropriate, the Director may submit the matter to the Commission. The Commission is adopting this amendment for a period of 18 months, and, at the end of that period, will evaluate whether to extend the delegation to issue immunity orders.

The Commission finds, in accordance with the Administrative Procedure Act ("APA") (5 U.S.C. 553(b)(3)(A)), that this revision relates solely to agency organization, procedures, or practices. It is therefore not subject to the provisions of the APA requiring notice and opportunity for comment. Accordingly, it is effective June 17, 2011.

### List of Subjects in 17 CFR Part 200

Administrative practice and procedure, Authority delegations (Government agencies).

For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

## PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

■ 1. The authority citation for Part 200, Subpart A, continues to read in part as follows:

**Authority:** 15 U.S.C. 77o, 77s, 77sss, 78d, 78d-1, 78d-2, 78w, 78ll(d), 78mm, 80a-37, 80b-11, and 7202, unless otherwise noted.

■ 2. Section 200.30-4, paragraph (a)(14) is revised to read as follows:

### **§ 200.30-4 Delegation of authority to Director of Division of Enforcement.**

(a) \* \* \*

(14) To submit witness immunity requests to the U.S. Attorney General pursuant to 18 U.S.C. 6002-6004, and, upon approval by the U.S. Attorney General, to seek or, for the period from June 17, 2011 through December 19, 2012, to issue orders compelling an individual to give testimony or provide other information pursuant to subpoenas that may be necessary to the public interest in connection with investigations and related enforcement actions pursuant to section 22(b) of the Securities Act of 1933 (15 U.S.C. 77v(b)), section 21(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(c)), section 42(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-41(c)) and section 209(c) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-9(c)).

By the Commission.

Dated: June 13, 2011.

**Elizabeth M. Murphy,**  
*Secretary.*

[FR Doc. 2011-15030 Filed 6-16-11; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2011-0467]

### Drawbridge Operation Regulations; Cheesequake Creek, Morgan, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Route 35 Bridge,

mile 0.0, across Cheesequake Creek at Morgan, New Jersey. The deviation is necessary to perform structural and electrical rehabilitation. This deviation allows the bridge to remain in the closed position for four months.

**DATES:** This deviation is effective from December 1, 2011 through March 31, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2011-0467 and are available online at <http://www.regulations.gov>, inserting USCG-2011-0467 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Mr. Joe Arca, Project Officer, First Coast Guard District, [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil), telephone (212) 668-7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366-9826.

**SUPPLEMENTARY INFORMATION:** The Route 35 Bridge, across Cheesequake Creek, mile 0.0, at Morgan, New Jersey, has a vertical clearance in the closed position of 25 feet at mean high water and 30 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.709.

The waterway is predominantly used by recreational vessels on a seasonal basis.

The owner of the bridge, the New Jersey Department of Transportation, requested a temporary deviation from the regulations to facilitate structural and electrical rehabilitation of the bridge.

The bridge would not be able to open for vessel traffic for four months during the prosecution of the bridge rehabilitation repairs; however, the repairs will take place during the winter months, December through March, when the bridge normally receives no requests to open.

The Coast Guard published notice of the proposed four month bridge closure in the Local Notice to Mariners on April 7, 2011, with a request for comments. No comments were received.

New Jersey Department of Transportation held a public information meeting with the local marinas and interested parties on March 24, 2011. No objections were received as

a result of the public information meeting.

Under this temporary deviation the Route 35 Bridge may remain in the closed position for four months from December 1, 2011 through March 31, 2012. Vessels that can pass under the bridge in the closed position may do so at any time.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 31, 2011.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2011-15049 Filed 6-16-11; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS-R5-ES-2011-0035;  
92220-1113-0000; ABC Code: C6]

**RIN 1018-AX80**

### Endangered and Threatened Wildlife and Plants; Reinstatement of Listing Protections for the Virginia Northern Flying Squirrel in Compliance With a Court Order

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are issuing this final rule to comply with a court order that has the effect of reinstating the regulatory protections under the Endangered Species Act of 1973 (ESA), as amended, for the Virginia northern flying squirrel (*Glaucomys sabrinus fuscus*). Pursuant to the District of Columbia District Court order dated March 25, 2011, this rule reinstates the Virginia northern flying squirrel listing as endangered.

**DATES:** This action is effective June 17, 2011. However, the court order had legal effect immediately upon its filing on March 25, 2011.

**ADDRESSES:** This final rule is available on the Internet at <http://www.regulations.gov>. It will also be available for inspection, by appointment, during normal business hours at U.S. Fish and Wildlife Service, West Virginia Field Office, 694 Beverly Pike, Elkins, West Virginia 26241. Call (304) 636-6586 to make arrangements.