

either because the petition was denied at the last minute, or because the petition was not adjudicated in advance of the need. Employers can be confident that they are unlikely to incur unnecessary booking costs or be required to issue refunds due to the cancellation of an event caused by a failure to receive a decision on the petition. Finally, this rule will help those employers who make offers of employment more than six months prior to the employment start date to have sufficient time to seek a new beneficiary or beneficiaries in the event a petition is denied.

#### E. Executive Order 13132

This rule 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 section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### F. Executive Order 12988 Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

#### G. Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995, Public Law 104-13, all Departments are required to submit to the Office of Management and Budget (OMB), for review and approval, any reporting requirements inherent in a rule. This rule does not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act.

#### List of Subjects in 8 CFR Part 214

Administrative practice and procedures, Aliens, Employment, Foreign officials, Health professions, Reporting and recordkeeping requirements, Students.

■ Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

#### PART 214—NONIMMIGRANT CLASSES

■ 1. The authority citation for part 214 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1185 (pursuant to E.O. 13323, 69 FR 241, 3 CFR, 2003 Comp., p. 278), 1186a, 1187, 1221, 1281, 1282, 1301-1305, 1372, 1379, 1731-32; section 643, Pub. L. 104-208, 110 Stat. 3009-708; Section 141 of the Compacts of Free Association with the

Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901, note, and 1931 note, respectively, 8 CFR part 2.

■ 2. Section 214.2 is amended by:

■ a. Revising the second sentence in paragraph (o)(2)(i); and by

■ b. Revising the tenth sentence in paragraph (p)(2)(i).

The revisions read as follows:

#### § 214.2 Special requirements for admission, extension, and maintenance of status.

\* \* \* \* \*

(o) \* \* \*

(2) \* \* \*

(i) *General.* \* \* \* The petition may not be filed more than one year before the actual need for the alien's services.  
\* \* \*

\* \* \* \* \*

(p) \* \* \*

(2) \* \* \*

(i) *General.* \* \* \* The petition may not be filed more than one year before the actual need for the alien's services.  
\* \* \*

\* \* \* \* \*

Dated: March 27, 2007.

Michael Chertoff,

Secretary.

[FR Doc. E7-7134 Filed 4-13-07; 8:45 am]

BILLING CODE 4410-10-P

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### 10 CFR Part 490

#### Alternative Fuel Transportation Program; Alternative Compliance

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of availability of Alternative Compliance Guidelines for preparing and submitting a waiver request and other documentation requirements.

**SUMMARY:** This notice announces the availability of a Department of Energy (DOE) document that provides guidelines to fleets covered by 10 CFR Part 490 (covered fleets) for submission of an application for a waiver from the alternative fuel vehicle acquisition requirements. In order to obtain a waiver, the requesting covered fleet must show that in lieu of the alternative fuel vehicle acquisitions, it will reduce petroleum consumption in its vehicle fleet by an amount that would equal 100

percent alternative fuel use in all of its existing covered light-duty vehicles. The guidelines provide instructions on making such a showing and illustrate the processing of a waiver request.

**ADDRESSES:** U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Office of FreedomCAR and Vehicle Technologies, EE-2G, 1000 Independence Avenue, SW., Washington, DC 20585-0121.

The entire document with complete instructions for interested parties, *Alternative Compliance: Guidelines for Preparing and Submitting a Waiver Request and Other Documentation Requirements, 10 CFR Part 490 Subpart I*, may be found at the Web site address: [http://www.eere.energy.gov/vehiclesandfuels/epact/state/state\\_resources.html](http://www.eere.energy.gov/vehiclesandfuels/epact/state/state_resources.html), and is available from Ms. Linda Bluestein, U.S. Department of Energy, Office of FreedomCAR and Vehicle Technologies, EE-2G, Room 5F034, 1000 Independence Avenue, SW., Washington, DC 20585-0121, and by telephone at (202) 586-6116.

**FOR FURTHER INFORMATION CONTACT:** Ms. Linda Bluestein on (202) 586-6116 or [linda.bluestein@ee.doe.gov](mailto:linda.bluestein@ee.doe.gov).

**SUPPLEMENTARY INFORMATION:** Section 703 of the Energy Policy Act of 2005 (Pub. L. No. 109-58) added section 514, Alternative Compliance, to title V of the Energy Policy Act of 1992. (42 U.S.C. 13263a) DOE initiated a rulemaking to implement section 514 of the Energy Policy Act of 1992, as amended, (71 FR 36034; June 23, 2006) and published a final rule on March 20, 2007. 72 FR 12958. New Subpart I adds a new compliance option for covered fleets. The option allows a covered fleet to apply to DOE for a waiver from the original alternative fueled vehicle (AFV) acquisition program if it can demonstrate petroleum reduction equal to 100 percent alternative fuel use in covered light-duty vehicles cumulatively acquired by its fleet.

If a covered fleet intends to apply for a waiver, it must file its intent to request a waiver to DOE no later than March 31 of the calendar year before the model year for which the fleet is making its request. For model year 2008, however, the first year covered fleets are eligible for such waivers, the deadline for covered fleets to file an intent to make a waiver application is extended until May 31, 2007. The completed waiver application must be submitted to DOE by June 30 if the information is not dependent on new light-duty vehicle model year information. If the information is dependent on such information, the request must be

submitted by July 31. A waiver request must include a minimum amount of data in order for DOE to make a decision about granting the waiver.

The DOE document *Alternative Compliance: Preparing and Submitting a Waiver Request and Other Documentation Requirements, 10 CFR Part 490 Subpart I*, helps requesting covered fleets by illustrating the data and information requirements as well as DOE's implementation of the waiver provision.

The guidelines include information for covered fleets regarding timing of waiver requests and responses by DOE, waiver documentation and submission requirements, annual reporting of petroleum reductions, use of credits and rollover of excess petroleum reduction, enforcement authority, record retention and appeals.

Issued in Washington, DC, on April 9, 2007.

**Alexander A. Karsner,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

[FR Doc. E7-7133 Filed 4-13-07; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. NM374: Special Conditions No. 25-351-SC]

#### Special Conditions: Dassault Aviation, Model Falcon 7X; Design Roll Maneuvering Conditions

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

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for the Dassault Aviation Falcon 7X airplane. This airplane will have a novel or unusual design feature associated with an electronic fly-by-wire flight control system. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** The effective date of these special conditions is April 4, 2007. We must receive your comments by May 16, 2007.

**ADDRESSES:** You must mail two copies of your comments to: Federal Aviation

Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM-113), Docket No. NM374, 1601 Lind Avenue, SW., Renton, Washington, 98057-3356. You may deliver two copies to the Transport Airplane Directorate at the above address. You must mark your comments: Docket No. NM374. You can inspect comments in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** Rich Yarges, FAA, Airframe/Cabin Safety Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2143; facsimile (425) 227-1232.

**SUPPLEMENTARY INFORMATION:** The FAA has determined that notice and opportunity for prior public comment hereon are impracticable because these procedures would significantly delay issuance of the approval design and thus delivery of the affected aircraft. In addition, the substance of these special conditions has been subject to the public comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making these special conditions effective upon issuance.

#### Comments Invited

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive as well as a report summarizing each substantive public contact with FAA personnel about these special conditions. You can inspect the docket before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

We will consider all comments we receive by the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change these special conditions based on the comments we receive.

If you want us to let you know we received your comments on these special conditions, send us a pre-addressed, stamped postcard on which

the docket number appears. We will stamp the date on the postcard and mail it back to you.

#### Background

On June 4, 2002, Dassault Aviation, 9 rond Point des Champs Elysees, 75008, Paris, France, applied for a type certificate for its new Model Falcon 7X. The Dassault Aviation Falcon 7X is a 19 passenger transport category airplane, powered by three aft mounted Pratt & Whitney PW307A high bypass ratio turbofan engines. The airplane is operated using a fly-by-wire electronic flight control system. This flight control system does not provide a mechanical link between the airplane flight control surface and the pilot's cockpit control device as there is on more conventional airplanes. This will be the first application of such a system in an airplane primarily intended for private or corporate use. However, several models of airplanes certificated under part 25 have incorporated fly-by-wire electronic flight control systems.

#### Type Certification Basis

Under the provisions of 14 CFR 21.17, Dassault Aviation must show that the Model Falcon 7X meets the applicable provisions of Part 14 CFR part 25, as amended by Amendment 25-1 through 25-107.

If the Administrator finds that the applicable airworthiness regulations do not contain adequate or appropriate safety standards for the Model Falcon 7X because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, the Dassault Model Falcon 7X must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36, and the FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92-574, the "Noise Control Act of 1972."

The FAA issues special conditions, as defined in § 11.19, under § 11.38, and they become part of the type certification basis under § 21.17(a)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, the special conditions would also apply to the other model.

#### Novel or Unusual Design Features

The Falcon 7X is equipped with an electronic flight control system. In this