

• *Mail:* U.S. Small Business Administration, Office of the General Counsel, 409 Third Street, SW., Washington, DC 20416.

SBA will post comments on <http://www.regulations.gov>. If you wish to submit confidential business information (CBI) as defined in the User Notice at <http://www.regulations.gov>, please submit the information to Martin S. Conrey, Assistant General Counsel for Legislation and Appropriations, Office of General Counsel, 409 Third Street, SW., Washington, DC 20416. Highlight the information that you consider to be CBI, and explain why you believe this information should be held confidential. SBA will review the information and make the final determination of whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Martin S. Conrey, Assistant General Counsel for Legislation and Appropriations, Office of the General Counsel, 409 Third Street, SW., Washington, DC 20416; telephone 202-619-0638.

SUPPLEMENTARY INFORMATION: On January 18, 2011, President Obama issued Executive Order 13563, "Improving Regulation and Regulatory Review." The Executive Order requires Federal agencies to seek more affordable, less intrusive ways to achieve policy goals and give careful consideration to the benefits and costs of their regulations. The Executive Order also requires agencies to develop a preliminary plan for reviewing their regulations to determine, among other things, if they are outdated, ineffective, insufficient, or excessively burdensome on the public. On March 14, 2011, as part of SBA's implementation of the Executive Order, the agency published a notice in the **Federal Register** soliciting comments to assist the agency in the development of the preliminary plan required by the Executive Order, and to identify whether any of SBA's existing regulations should be modified, streamlined, expanded or repealed (76 FR 13532). SBA received 11 comments in Regulations.gov from a mix of small business trade organizations, a small business owner, an SBA loan program participating lender, an advocacy and research organization, associations of research universities, and members of the general public. Those comments are summarized in the *SBA's Preliminary Plan for Retrospective Review of Existing Regulations* (May 17, 2011), which is posted on the agency's Open Government Web site at <http://www.sba.gov/content/sba-preliminary-plan-retrospective-analysis-existing-rules>). In addition to the **Federal**

Register notice, SBA solicited ideas during the Small Business Jobs Act Tour (see <http://www.sba.gov/jobsacttour>) and the Startup America: Reducing Barriers roundtable events (see <http://www.sba.gov/content/startup-america-reducing-barriers-roundtables>.) Comments provided at these events will be considered in developing the final plan.

To ensure that the plan meets the objectives of the Executive Order and to benefit from the expertise of interested members of the public, the SBA is now requesting public comments on this preliminary plan before finalizing it. To comment on the preliminary plan, visit <http://www.regulations.gov> and insert SBA-2011-0012 in the "Enter Keyword or ID" box. Once you are taken to the docket for the plan, click on the "Submit a Comment" bubble to open the comment form. When providing input, the SBA requests that commenters provide as much detail as possible and provide empirical evidence and data to support responses. The SBA will consider the public comments in development of the agency's final plan as well as the retrospective analysis of the rules.

SBA notes that this Request for comments is issued solely for information and program-planning purposes. SBA will give careful consideration to the responses, and may use them as appropriate during the retrospective review, but we do not anticipate providing a point-by-point response to each comment submitted. While responses to this request for comments do not bind the Agency to any further actions related to the response, all submissions will be made publically available on <http://www.regulations.gov>.

Authority: 15 U.S.C. 5(b)(6), E.O. 13653, 76 FR 3821.

Dated: June 16, 2011.

Michael A. Chodos,
Deputy General Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 65, 119, 121, 135, and 142

[Docket No. FAA-2008-0677; Notice No. 08-07A]

RIN 2120-AJ00

Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers; Extension of Comment Period

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); extension of comment period.

SUMMARY: This action extends the comment period for an SNPRM that was published on May 20, 2011. In that document, the FAA proposed to amend the regulations for crewmember and aircraft dispatcher training programs in domestic, flag, and supplemental operations. This extension is a result of requests for extension of the comment period. One request for extension was from the Air Transport Association of America, Cargo Airline Association, Air Carrier Association of America, Regional Airline Association, National Air Carrier Association, Boeing Company, and Airbus Americas. The second request for extension was from the Air Line Pilots Association. The third request for extension was from the International Air Transport Association.

DATES: The comment period for the SNPRM published on May 20, 2011, was scheduled to close on July 19, 2011, and is extended until September 19, 2011.

ADDRESSES: You may send comments identified by docket number FAA-2008-0677 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.

Privacy: The FAA will post all comments it receives, without change, to <http://www.regulations.gov>, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, *etc.*). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at <http://DocketsInfo.dot.gov>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: For flightcrew member information contact James K. Sheppard, *email:* james.k.sheppard@faa.gov; for flight attendant information contact Nancy Lauck Claussen, *email:* Nancy.l.Claussen@faa.gov; and for aircraft dispatcher information contact Leo D. Hollis, *email:* Leo.d.Hollis@faa.gov; Air Transportation Division (AFS–200), Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8166. For legal questions, contact Anne Bechdolt, Office of Chief Counsel (AGC–200), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC, 20591; *email:* Anne.Bechdolt@faa.gov; telephone 202–267–3073.

SUPPLEMENTARY INFORMATION:

See the “Additional Information” section for information on how to comment on this proposal and how the FAA will handle comments received. The “Additional Information” section also contains related information about the docket, privacy, the handling of proprietary or confidential business information. In addition, there is information on obtaining copies of related rulemaking documents.

Background

On May 20, 2011, the FAA published Notice No. 08–07A, Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers (76 FR 29336). Comments to that document were to be received on or before July 19, 2011.

In a letter dated May 25, 2011, the Air Transport Association of America, Cargo Airline Association, Air Carrier Association of America, Regional Airline Association, National Air Carrier Association, Boeing Company, and Airbus Americas requested a 180-day extension of the comment period. In a letter dated May 27, 2011, the Air Line Pilots Association requested a 60-day extension of the comment period. In addition, in an undated letter, the International Air Transport Association requested a 180-day extension of the comment period. The petitioners noted that the SNPRM and supporting documents are extensive.

While the FAA concurs with the petitioners' requests for an extension of the comment period on Notice No. 08–07A, it does not support a 180-day extension. The FAA finds that providing an additional 60 days is sufficient for these petitioners to analyze the SNPRM and supporting documents and provide meaningful comment to Notice No. 08–07A.

The FAA does not anticipate any further extension of the comment period for this rulemaking.

Extension of Comment Period

In accordance with § 11.47(c) of title 14, Code of Federal Regulations, the FAA has reviewed the petitions for extension of the comment period to Notice No. 08–07A. These petitioners have shown a substantive interest in the proposed rule and good cause for the extension. The FAA has determined that extension of the comment period is consistent with the public interest, and that good cause exists for taking this action.

Accordingly, the comment period for Notice No. 08–07A is extended until September 19, 2011.

Additional Information

A. Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. The agency also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The agency may change this proposal in light of the comments it receives.

Proprietary or Confidential Business Information: Do not file proprietary or confidential business information in the docket. Such information must be sent or delivered directly to the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this document, and marked as proprietary or confidential. If submitting information on a disk or CD–ROM, mark the outside of the disk or CD–ROM, and identify electronically within the disk or CD–ROM the specific information that is proprietary or confidential.

Under 14 CFR 11.35(b), if the FAA is aware of proprietary information filed with a comment, the agency does not place it in the docket. It is held in a separate file to which the public does not have access, and the FAA places a note in the docket that it has received it. If the FAA receives a request to examine or copy this information, it treats it as any other request under the Freedom of Information Act (5 U.S.C. 552). The FAA processes such a request under Department of Transportation procedures found in 49 CFR part 7.

B. Availability of Rulemaking Documents

An electronic copy of rulemaking documents may be obtained from the Internet by—

1. Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);
2. Visiting the FAA's Regulations and Policies Web page at http://www.faa.gov/regulations_policies or
3. Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–9680. Commenters must identify the docket or notice number of this rulemaking.

Issued in Washington, DC, on June 17, 2011.

Dennis R. Pratte,

Acting Director, Office of Rulemaking.

[FR Doc. 2011-15690 Filed 6-22-11; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 91

[Docket No. FAA-2011-0628]

Clarification of Prior Interpretations of the Seat Belt and Seating Requirements for General Aviation Flights

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed clarification of prior interpretations.

SUMMARY: This action proposes to clarify prior interpretations of the seat belt and seating requirements of 14 CFR 91.107(a)(3). These prior interpretations state that the shared use of a single restraint may be permissible. The proposed clarification states that the use of a seat belt and/or seat by more than one occupant is appropriate only if: The seat belt is approved and rated for such use; the structural strength requirements for the seat are not exceeded; and the seat usage conforms with the limitations contained in the approved portion of the Airplane Flight Manual. The proposed clarification also emphasizes that the proper restraint method for children during operations conducted under part 91 relies on the good judgment of the pilot, who should be intimately aware of the capabilities and structural requirements of the aircraft that he or she is operating.

DATES: Comments must be received on or before August 22, 2011.

ADDRESSES: You may send comments identified by docket number FAA-2011-0628 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send Comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington,

DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

FOR FURTHER INFORMATION CONTACT: Alex Zektser, Attorney, Regulations Division, Office of Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-3073; email: Alex.Zektser@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites interested persons to submit written comments, data, or views concerning this proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, please send only one copy of written comments, or if you are filing comments electronically, please submit your comments only one time.

The FAA will file in the docket all comments received, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposal. Before acting on this proposal, the FAA will consider all comments received on or before the closing date for comments and any late-filed comments if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of comments received.

Availability of This Proposed Clarification of Prior Interpretations

You can get an electronic copy using the Internet by—

- (1) Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);
- (2) Visiting the FAA's Regulations and Policies Web page at http://www.faa.gov/regulations_policies/; or
- (3) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You can also get a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the docket number or notice number of this proposal.

Background

On March 22, 2009, a Pilatus PC-12/45 descended and impacted the ground near the approach end of a runway at Bert Mooney Airport in Butte, Montana. After investigating this incident, the National Transportation Safety Board (NTSB) determined the following.

At the time of the impact, the Pilatus PC-12/45 airplane was operating as a personal flight under the provisions of 14 CFR part 91. The pilot and the 13 airplane passengers were killed, and the airplane was destroyed by impact forces and the postcrash fire. Among the 13 passengers were six adults and seven children. Because the flight was a single-pilot operation, eight seats in the cabin and one seat in the cockpit were available to the 13 passengers. Thus, the number of passengers exceeded the number of available seats. The NTSB was unable to determine the original seating position for most of the occupants, but the bodies of four children, ages 3 to 9 years, were found farthest from the impact site, indicating that these children were likely thrown from the airplane because they were unrestrained or improperly restrained. The NTSB noted that if the accident had been less severe and the impact had been survivable, any unrestrained occupant or occupants sharing a single restraint system would have been at a much greater risk of injury or death.

As a result of the March 22, 2009 incident described above, the NTSB has requested that the FAA withdraw its prior interpretations of 14 CFR 91.107(a)(3), which permit the shared use of a single restraint system.

Discussion of the Proposal

In response to the NTSB's request, the FAA proposes to clarify its prior interpretations of 14 CFR 91.107(a)(3) as follows.

For part 91 operations, section 91.107(a)(3) requires that "each person on board a U.S. registered civil aircraft * * * must occupy an approved seat or berth with a safety belt and, if installed, shoulder harness, properly secured about him or her during movement on the surface, takeoff, and landing." Children under the age of two may be held by an adult who is occupying an approved seat or berth and no restraining device for the child is used. In contrast, for commercial operations under part 121, section 121.311 requires that each person "occupy an approved seat or berth with a separate safety belt properly secured about him."

When § 121.311 and § 91.107 (previously § 91.14) were first promulgated in 1971, the FAA clarified that the separate use provision for safety belts under part 121 was not intended to apply to part 91 operations. Rather, part 91 "requires only that each person on board occupy a seat or berth with a safety belt properly secured about him." 36 FR 12511 (July 1, 1971). The FAA has previously interpreted this provision as not requiring separate use