

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.

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

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

Air transportation, Aircraft, Aviation safety, 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:

##### 2003-19-01 Eurocopter France:

Amendment 39-13303. Docket 2001-SW-61-AD.

**Applicability:** Model AS 365 N3 helicopters with MOD 0764B39 (Quiet Fenestron) and Model EC 155B helicopters with tail rotor pitch change control rod (control rod), part number (P/N) 365A33-6161-21, installed, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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 (b) 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 as indicated, unless accomplished previously.

To prevent failure of the control rod, loss of control of the tail rotor, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove the control rod, P/N 365A33-6161-21, and replace it with a reinforced steel control rod, P/N 365A33-6214-20, in accordance with the following table:

Remove the control rod:	For control rods with:
Before further flight.	700 or more hours TIS.
Within 20 hours TIS.	500 or more hours TIS but less than 700 hours TIS.
Within 30 hours TIS.	More than 270 hours TIS and less than 500 hours TIS.

**Note 2:** Eurocopter Alert Telex No. 04A005, for Model EC 155B helicopters, and Alert Telex No. 01.00.55, for Model AS 365 N3 helicopters, both dated July 4, 2002, pertain to the subject of this AD.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Safety Management Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Safety Management Group.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Safety Management Group.

(c) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on October 23, 2003.

**Note 4:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD No. 2002-472-057(A) for Model AS 365 N3 helicopters, and AD No. 2002-473-006(A) for Model EC 155B helicopters. Both AD's are dated September 18, 2002.

Issued in Fort Worth, Texas, on September 9, 2003.

**Scott A. Horn,**

*Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1260

RIN 2700-AC62

### NASA Grant and Cooperative Agreement Handbook—Format and Numbering

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the NASA Grant and Cooperative Agreement Handbook by revising the format and numbering scheme used to identify NASA's grants and cooperative agreements. This change is required to maintain the traditional alignment between NASA's grant and contract numbering schemes.

**EFFECTIVE DATE:** October 1, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Suzan P. Moody, NASA Headquarters, Code HK, Washington, DC, (202) 358-0503, e-mail: [Suzan.P.Moody@nasa.gov](mailto:Suzan.P.Moody@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

#### A. Background

The General Services Administration (GSA) has established new requirements for unique numbering within an agency and between agencies for award instruments reported to the Federal Procurement Data System—Next Generation (FPDS-NG). This new requirement is effective no later than October 1, 2003. On May 21, 2003, the Assistant Administrator for Procurement approved a new numbering scheme to be used by NASA to comply with the GSA requirement. Although assistance agreements are not reported to the FPDS, NASA has always used the same numbering scheme for assistance agreements and contracts, as a matter of simplicity and efficiency. This final rule implements the revised numbering scheme.

#### B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the changes primarily modify existing internal operational practices.

#### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of

Management and Budget under 44 U.S.C. 3501, *et. seq.*

#### List of Subjects in 14 CFR Part 1260

Grant Programs—Science and Technology.

Tom Luedtke,

*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR Part 1260 is amended as follows:

■ 1. The authority citation for 14 CFR 1260 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1) and Pub. L. 97–258, 96 Stat. 1003 (31 U.S.C. 6301, *et seq.*)

#### PART 1260—GRANTS AND COOPERATIVE AGREEMENTS

■ 2. Amend section 1260.15 by revising paragraph (c) to read as follows:

##### § 1260.15 Format and numbering.

\* \* \* \* \*

(c) Grants and cooperative agreements will be sequentially numbered. The Identification Numbering System to be used for all types of NASA grants and cooperative agreements will be applied as follows:

(1) *Agency prefix.* NASA's agency prefix shall be represented by the characters "NN".

(2) *Center.* The Center Identification Number shall conform to NASA FAR Supplement (NFS) 48 CFR 1804.7102(a).

(3) *Fiscal year.* The fiscal year shall be represented as two digits.

(4) *Action number.* The action number shall be identified using a two digit alpha and two digit numerical character from AA01 through ZZ99.

(5) *Procurement code.* Cooperative Agreements will be identified using "A" as the procurement code. Grants (other than training grants) will be identified using "G" as the procurement code. Training Grants will be identified using "H" as the procurement code.

(6) As an example of the above set forth methodology, the first two training grants awarded by Glenn Research Center in Fiscal Year 2004 would be NNC04AA01H and NNC04AA02H.

(7) The Catalog of Federal Domestic Assistance (CFDA) Numbers does not apply to NASA grants.

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#### DEPARTMENT OF COMMERCE

##### Bureau of Industry and Security

#### 15 CFR Parts 772 and 774

[Docket No. 030825213–3213–01]

RIN 0694–AC76

#### Revisions to the Export Administration Regulations Based on the 2002 Missile Technology Control Regime Plenary Agreements

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Industry and Security (BIS) is amending the Commerce Control List (CCL) to reflect changes to the Missile Technology Control Regime (MTCR) Annex that were agreed to by MTCR member countries at the September 2002 Plenary in Warsaw, Poland. BIS is also amending certain entries on the CCL to clarify the scope of and jurisdiction for controls on global navigation satellite receiving equipment.

**EFFECTIVE DATE:** This rule is effective: September 18, 2003.

**FOR FURTHER INFORMATION CONTACT:** Steven B. Clagett, Director, Nuclear and Missile Technology Controls Division, Bureau of Industry and Security, Telephone: (202) 482–1641.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Missile Technology Control Regime (MTCR) is an export control arrangement among 33 nations including the world's most advanced suppliers of ballistic missiles and missile-related materials and equipment. The regime is designed to stem the spread of rockets and unmanned air vehicles systems capable of delivering weapons of mass destruction by establishing a common export control policy (the Guidelines) and a shared list of controlled items (the Annex) that each country implements with its own national legislation.

While the MTCR was originally meant to prevent the spread of missiles capable of carrying a nuclear warhead, it was expanded in January 1993 to also cover delivery systems for chemical and biological weapons. The only absolute prohibition in the regime's Guidelines is on the transfer of complete "production facilities" specially designed for items in the MTCR Annex.

This rule amends part 772 of the Export Administration Regulations to add the definitions for "Range (MTCR)" and "Payload (MTCR)" to the list of

terms and revises the Commerce Control List (CCL) to reflect changes to the MTCR Annex that were agreed to by MTCR members at the September 2002 Plenary in Warsaw, Poland. In addition, this rule amends certain entries on the CCL to clarify the scope of and jurisdiction for controls on global navigation satellite receiving equipment (Export Control Classification Numbers (ECCNs) 7A005, 7A105 and 7A994).

The following ECCNs are amended as described:

1C111: Mixed Oxides of Nitrogen added (MTCR Annex change).

7A005: Cross-reference to 7A105 and 7A994 added (clarification).

7A103: Integrated Navigation Systems added (MTCR Annex change).

7A105: Entry reformatted to clarify description of items covered (MTCR Annex change). Cross-reference to 7A005 and 7A994 added (clarification).

7A994: Related controls paragraph deleted (clarification).

9A106: Flight Control Servo valves added (MTCR Annex change).

#### Saving Clause

Shipments of items removed from eligibility for a License Exception or export without a license (NLR) as a result of this regulatory action that were on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export, on September 18, 2003, pursuant to actual orders for export to a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export without a license (NLR) so long as they have been exported from the United States before October 20, 2003. Any such items not actually exported before midnight, on October 20, 2003, require a license in accordance with this regulation.

Although the Export Administration Act expired on August 20, 2001, Executive Order 13222 of August 17, 2001 (66 FR 44025, August 22, 2001), as extended by the Notice of August 7, 2003 (68 FR 47833, August 11, 2003), continues the Regulations in effect under the International Emergency Economic Powers Act.

#### Rulemaking Requirements

1. This final rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection of