

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Chapter I****[Docket No. 28910]****Review of Existing Rules****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Review of regulations; request for comments.

SUMMARY: This notice requests that the public identify those regulations currently in effect which it believes should be amended, eliminated, or simplified. This action is based on Presidential recommendations that the FAA perform regulatory reviews consistent with its statutory authority and public interest responsibilities. Comments will assist the agency in conducting these reviews and in determining the direction of resulting actions. Also, based upon recommendations stemming from the White House Commission on Aviation Safety and Security, the FAA requests the public to forward specific examples of where the agency should develop rules that are performance-based rather than prescriptive, and provide any suggestions on specific plain-English language that might be used to rewrite them.

DATES: Comments should be submitted on or before August 13, 1997.

ADDRESSES: Comments should be mailed in triplicate to: Federal Aviation Administration, Office of Chief Counsel, Attention: Rules docket (AGC-200), Docket No. 28910 800 Independence Ave., SW., Washington, DC., 20591, or faxed to (202) 267-5075. Comments also may be submitted via the Internet to 9-nprm-cmts@faa.dot.gov. Comments may be examined in room 915G weekdays between 8:30 a.m. and 5 p.m. except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Gerri Robinson (ARM-24), Office of Rulemaking, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591; telephone (202) 267-9678.

SUPPLEMENTARY INFORMATION: In recent years, the FAA conducted several regulatory reviews: In his 1992 State of the Union address, then-President Bush called for a 90-day moratorium and review of federal regulations, and the FAA responded by soliciting public comments on its regulatory programs as part of an overall review (57 FR 4744, Feb. 7, 1992). Based on comments received, the agency revised its regulatory agenda accordingly. In 1994, responding to recommendations from the National Commission to Ensure a Strong Competitive Airline Industry and the Vice President's National Performance Review, and acting on Department of Transportation (DOT) and FAA regulatory initiatives, the FAA initiated a regulatory review to reduce regulatory burdens and sought public comments (59 FR 1362, Jan. 10, 1994). As a result, the FAA revised its regulatory agenda and priorities accordingly, and proposed a Regulatory Review Program by seeking public input every three years (60 FR 44142, Aug. 24, 1995). The agency later published a disposition of the comments it received and made the determination to continue the 3-year review cycle (61 FR 53610, Oct. 15, 1996). In addition to the ongoing regulatory review program, the FAA is currently in the process of responding to recommendations from the White House Commission on Aviation Safety and Security that it simplify and, as appropriate, rewrite its regulations in performance-based, plain-English formats.

Three-Year Regulatory Review Program; Request for Comments

As part of its ongoing Regulatory Review Program, the FAA is requesting that the public identify three regulations, in priority order, that it believes should be amended or eliminated. The agency's goal is to identify regulations which impose undue regulatory burdens, are no longer necessary, or overlap, duplicate, or conflict with other federal regulations. In addition, the FAA is also requesting the public to identify unnecessary regulations that have a significant

impact on small entities. In order to focus on areas of greatest interest, and to effectively manage agency resources, the FAA asks that commenters responding to the three-year Regulatory Review Program limit their input to three issues they consider most urgent, and to list them in priority order. The FAA will review the issues addressed by the Commenters against its regulatory agenda and rulemaking program efforts and adjust its regulatory priorities consistent with its statutory responsibilities. At the end of this process, the FAA will publish a summary and general disposition of comments and indicate, where appropriate, how its regulatory priorities will be adjusted.

White House Commission on Aviation Safety and Security Recommendations; Request for Public Comments

On February 12, 1997, the White House Commission on Aviation Safety and Security, chaired by Vice President Al Gore, issued its final report to President Clinton. One of the recommendations contained in that report states "The Federal Aviation Regulations (FARs) should be simplified and, as appropriate, rewritten as plain English, performance-based regulations." The Commission believes that government can achieve better regulatory compliance if its objectives are stated clearly and its focus is on goals, not process. The public is requested to provide any specific suggestions where rules could be developed as performance-based rather than prescriptive, any specific plain-English language that might be used, and provide suggested language on how those rules should be written. These comments will assist the agency in simplifying the FARs pursuant to recommendations from the Commission.

Issued in Washington DC, on May 9, 1997.

Guy S. Gardner,

Associate Administration for Regulation and Certification, AVR-1.

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