

the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Agusta S.p.A. Docket No. 2003–SW–28–AD.

Applicability: Model A109E helicopters, up to and including serial number (S/N) 11150 with Pratt & Whitney Canada, Inc. PW206C engines, and S/N 11501 through 11509 with Turbomeca Arrius TM2K1 engines, with a passenger compartment sliding door (door), part number (P/N) 109–0360–48–101 (left-hand (LH)), P/N 109–0360–48–102 (right-hand (RH)), P/N 109–0360–48–201 (LH), or P/N 109–0360–48–202 (RH), installed, certificated in any category.

Compliance: Required within 90 days, unless accomplished previously.

To prevent the inadvertent opening of a door and loss of a passenger or other objects from the cabin, accomplish the following:

(a) Modify the doors by replacing levers, P/N 109–0362–30–103 (LH) and P/N 109–0362–30–104 (RH), and links, P/N 109–0362–05–101; with levers P/N 109–0362–30–109 (LH) and P/N 109–0362–30–110 (RH), and links, P/N 109–0362–05–105, and the

hardware contained in kits, P/N 109–0823–25–101 (LH) and P/N 109–0823–25–102 (RH) in accordance with the Compliance Instructions in Agusta Bollettino Tecnico No. 109 EP–33, dated March 19, 2003.

(b) 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 Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

Note: The subject of this AD is addressed in Ente Nazionale per l'Aviazione Civile (Italy) AD No. 2003–109, dated March 27, 2003.

Issued in Fort Worth, Texas, on October 16, 2003.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

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DEPARTMENT OF COMMERCE

Bureau of the Census

15 CFR Part 30

[Docket Number 031009254–3254–01]

RIN 0607–AA38

Mandatory Automated Export System (AES) Filing for all Shipments Requiring Shipper's Export Declaration Information

AGENCY: Bureau of the Census, Commerce.

ACTION: Advance notice of proposed rulemaking and request for comments.

SUMMARY: The U.S. Census Bureau (Census Bureau) is issuing this advance notice of proposed rulemaking to announce and to solicit comments on the Census Bureau's intent to propose a rule that would make mandatory the filing of all export shipments requiring Shipper's Export Declaration (SED) information on the Automated Export System (AES)/AESDirect. The Census Bureau also requests comment on its intention, subject to agreement with the Bureau of Customs and Border Protection (CBP) and other federal agencies participating in the AES, to modify the AES Option 4 post-departure filing program. The Census Bureau welcomes any comments or concerns regarding the impact of these intended changes on the export community.

DATES: Submit written comments regarding this document on or before November 21, 2003.

ADDRESSES: Direct all written comments to the Director, U.S. Census Bureau,

Room 2049, Federal Building 3, Washington, DC 20233.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to C. Harvey Monk, Jr., Chief, Foreign Trade Division, U.S. Census Bureau, Room 2104, Federal Building 3, Washington, DC 20233–6700, (301) 763–2255, by fax (301) 457–2645, or by e-mail c.harvey.monk,jr@census.gov.

SUPPLEMENTARY INFORMATION: The AES is the electronic method to file the information required on the paper SED and the ocean manifest information directly with the CBP. AESDirect is the Census Bureau's free Internet-based system for filing SED information on the AES. Further references to the AES cover both the AES and AESDirect.

Filing on the AES will become mandatory for all export shipments required to be filed under Title 13, United States Code (U.S.C.), Chapter 9. On September 30, 2002, the President signed H.R. 1646 into law (Public Law 107–228). The short title to this law is the Foreign Relations Authorization Act, Fiscal Year 2003. Division B is the Security Assistance Act of 2002. Section 1404—Improvements to the Automated Export System—amends Title 13, U.S.C., Chapter 9.

The AES mandatory electronic filing requirement and penalty authority are set forth in Public Law 107–228. This law directs the Secretary of Commerce, with the concurrence of the Secretary of State and the Secretary of Treasury, to publish regulations in the **Federal Register** requiring, upon the effective date of these regulations, that all persons who are required to file export information under Title 13, U.S.C., Chapter 9, file such information through the AES. The filing of SED information on paper will be eliminated (Option 1). This law also imposes penalties for delayed filings, for failure to file, filing of false or misleading information and for furthering other unlawful activities. A full description of Public Law 107–228, Section 1404, can be found at no cost on the Library of Congress Web site at <http://www.thomas.gov>.

In the future, the Census Bureau will issue proposed and final rules in the **Federal Register**, providing for implementation of the AES mandatory filing requirement and allowing the public to comment. The Census Bureau also will issue regulations regarding imposition of the penalties, both civil and criminal, for the late filing, failure to file, and false filing of export information and furtherance of other illegal activities through the AES. These regulations will provide for