

**§ 319.56–2x Administrative instructions; conditions governing the entry of certain fruits and vegetables for which treatment is required.**

(a) \* \* \*

Country/locality	Common name	Botanical name	Plant part(s)
* Belize .....	* Papaya .....	* Carica papaya .....	* Fruit (Treatment for Medfly not required for fruit grown in the districts of Cayo, Corozal, and Orange Walk, or in any portion of the district of Stann Creek except the area bounded as follows: Beginning at the southernmost point of the Placencia Peninsula; then north along the coast of the Caribbean Sea to Riversdale Rd.; then west along Riversdale Rd. to Southern Hwy.; then south along the Southern Hwy. to Independence Rd.; then east along Independence Rd. to Big Creek Port; then east, on an imaginary line, from Big Creek Port across the Placencia Lagoon to the point of beginning—see § 319.59–2t.) Papayas prohibited entry into Hawaii due to the papaya fruit fly, <i>Toxotrypana curvicauda</i> . Cartons in which fruit is packed must be stamped “Not for importation into or distribution within HI.”)
* Honduras .....	* Hyacinth bean ..... Yard long bean .....	* Lablab purpureus ..... Vigna unguiculata, subsp. sesquipedalis.	* Pod or shelled. Pod or shelled.
* Nicaragua .....	* Broad bean ..... Green bean ..... Mung bean .....	* Vicia faba ..... Phaseolus spp. .... Vigna radiata .....	* Pod or shelled. Pod or shelled. Pod or shelled.
* .....	* .....	* .....	* .....

\* \* \* \* \*

Done in Washington, DC, this 20th day of December 1996.

Al Strating,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97–108 Filed 1–3–97; 8:45 am]

BILLING CODE 3410–34–P

**9 CFR Parts 160 and 161**

[Docket No. 96–075–1]

**Accredited Veterinarians; Optional Digital Signature**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** We are proposing to accept digital signatures from accredited veterinarians as an additional option for official certificates, forms, records, and reports to the Animal and Plant Health Inspection Service. Currently, we require hand written signatures on all such documents. We believe that accepting digital signatures may benefit accredited veterinarians and the industries they serve by reducing the turn around time for these documents. This proposed action would relieve

restrictions that appear to be unnecessary.

**DATES:** Consideration will be given only to comments received on or before March 7, 1997.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96–075–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 96–075–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joseph S. VanTiem, Senior Staff Veterinarian, National Animal Health Programs, VS. APHIS, 4700 River Road Unit 43, Riverdale, MD 20737–1231, (301) 734–7716, or e-mail: jvantiem@aphis.usda.gov.

**SUPPLEMENTARY INFORMATION:****Background**

The regulations in 9 CFR parts 160 and 161 (the regulations), govern the accreditation of veterinarians. Accredited veterinarians are approved by the Administrator of the Animal and Plant Health Inspection Service (APHIS) to perform certain regulatory tasks to control and prevent the spread of animal diseases throughout the country and internationally. One of these regulatory tasks is preparing official documents including certificates, forms, records, and reports and submitting such documents to APHIS. Currently, we require a hand written signature by the accredited veterinarian on all official certificates, forms, records, and reports.

We are proposing to change the regulations to allow accredited veterinarians the additional option of signing official certificates, forms, records, and reports by use of a digital signature and of transmitting such documents electronically to APHIS. We will continue to accept and process official certificates, forms, records, and reports in hard copy as well, so that the technical capabilities or preferences of

the accredited veterinarian will not hinder the processing of these documents. We believe that allowing accredited veterinarians the option of signing and transmitting documents electronically will provide them with more flexibility and allow them to choose the method which is most efficient for them.

Representatives of the poultry industry, other industries served by accredited veterinarians, and APHIS veterinarians have requested that we accept digital signatures and allow electronic transmissions between accredited veterinarians and APHIS. The proposed addition to the regulations could benefit the accredited veterinarians and the industries they serve by saving them time and money. The time delays currently experienced in transmitting documents to APHIS could be eliminated or lessened. In addition to the time saved, the costs currently incurred for the use of couriers or special handling to expedite delivery could be eliminated.

#### Previously Published Notice

As we stated in our Notice published in the Federal Register on October 31, 1996 (60 FR 56215-56216, Docket No. 96-084-1), APHIS has a waiver to use RSA<sup>1</sup> digital signature technology in lieu of the Digital Signature Standard specified by Federal Information Processing Standard 186. The RSA digital signature technology provides document security that can be used to verify the identity of the person who signed the document and can protect the signed document against unauthorized modifications of its text. The RSA digital signature technology is widely used in a variety of commercial software applications, for example, InForms by Novell Incorporated, Form Flow by Delrina Corporation, and Jet Form by Jet Form Corporation.

#### Digital Signature Pilot Project

APHIS developed a pilot project testing the use of digital signatures and electronic transmissions using the Veterinary Services (VS) Form 17-6, Certificate for Poultry or Hatching Eggs for Export. The pilot project began in December 1995 and ran through May 1996.

At the August 9-10, 1994, Livestock and Poultry Movement meeting in Fort Collins, CO, producers identified the following potential benefits from digitally signing and electronically transmitting the VS Form 17-6: (1)

reduce costs associated with processing, handling, and mailing the VS Form 17-6, (2) move exports on short notice due to market conditions, and (3) reduce processing costs and turn around time between the producers and VS area offices for review and endorsement. Producers, accredited veterinarians, and VS Area Offices in Arkansas and Iowa volunteered to participate in the pilot project.

An automated copy of VS Form 17-6 was created using Novell Inc.'s InForms software. During the pilot project, the automated VS Form 17-6 was used by two producers, accredited veterinarians, and the VS Area Office in Arkansas and Iowa. The participants of the pilot project concluded that the use of digital signatures and electronic transmission was successful and beneficial. We believe that the use of digital signatures and electronic transmission of documents could be successful for other industries as well.

#### Other Government Use of Digital Signature Technology

As technology has advanced, various governments have begun to use or investigate the use of digital signatures. The Federal Government is using digital signatures on purchase orders. Many states have enacted legislation accepting digital signatures or are looking into the use of digital signatures, including Arizona, California, Florida, Georgia, Hawaii, Illinois, Oregon, Utah, Virginia, Washington, and Wyoming. Several foreign countries are also working on the acceptability of digital signatures, including Canada, Chile, and Germany. We expect to see continued advancements in the use of digital signatures.

#### Regulatory Changes

Due to the current state of technology and the technological advancements that we expect to continue, we propose to allow the maximum flexibility to use digital signatures and electronic transmission for official certificates, forms, records, and reports. We envision electronic transmission of official certificates, forms, records, and reports by various methods, including electronic mail and Internet. As technology advances, we expect new methods will be available. Therefore, we propose to approve the methods based on technological capabilities at the time of the request and not limit the regulations to a specific method, thus offering the greatest flexibility and the least restrictive regulations.

Specifically, we propose to revise several definitions, including the definitions of *issue* and *sign*. We

propose to revise the definition of *issue* in § 160.1 of the regulations to include electronic transmission. We propose to revise the definition of *sign* in § 160.1 of the regulations to include digital signatures approved by the Administrator. We propose to add the following definition for *approved digital signature*:

Digital signatures approved by the Administrator for electronic transmission, for example, via a computer. To be approved, a digital signature must be able to verify the identity of the accredited veterinarian signing the document and indicate if the integrity of the data in the signed document was compromised.

We also propose to revise § 161.3(j) of the regulations to require accredited veterinarians to be responsible for the use of approved digital signature capabilities.

#### Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We do not have enough data for a comprehensive analysis of the economic impacts of this proposed rule on small entities. Therefore, in accordance with 5 U.S.C. 603, we have performed an Initial Regulatory Flexibility Analysis for this proposed rule. We are inviting comments about this proposed rule as it relates to small entities. In particular, we are interested in determining (1) the number and kind of small entities that may incur benefits or costs from implementation of this proposed rule and (2) the economic impact of those benefits or costs.

Under the Animal Industry Act (21 U.S.C. 112, 113-114a-1, and 115), the Animal Quarantine Acts and the Cattle Contagious Diseases Act (21 U.S.C. 105, 111-113, 120, 121, and 125), the Federal Meat Inspection Act (21 U.S.C. 612 and 613), the Foot-and-Mouth Disease Research Act (21 U.S.C. 113a), and the Horse Protection Act (15 U.S.C. 1828), the Secretary of Agriculture has the authority to promulgate regulations and take measures to prevent the introduction and dissemination of communicable diseases of livestock and poultry. In accordance with the regulations in 9 CFR parts 160, 161, and 162, some veterinarians are accredited by the Federal Government to cooperate with APHIS in controlling and preventing the introduction and dissemination of animal diseases. Accredited veterinarians use their

<sup>1</sup> RSA was named for the inventors of the algorithm, Drs. Ronald Rivest, Adi Shamir, and Leonard Adleman.

professional training in veterinary medicine to perform certain regulatory tasks. One of these regulatory tasks is preparing official documents, including certificates, forms, records, and reports and submitting such documents to APHIS. Currently, only a hand written signature of an accredited veterinarian is acceptable.

APHIS is proposing to allow accredited veterinarians to use digital signatures in place of hand written signatures. Allowing the electronic transmission of signed documents could benefit accredited veterinarians and the industries they serve by eliminating the time-consuming step of physical transmission from the accredited veterinarian to the VS area office and others involved in the process.

An example of a document which accredited veterinarians must sign is an export health certificate. For the poultry industry, VS Form 17-6, Certificate for Poultry or Hatching Eggs for Export, is used as an export health certificate. Currently, a VS Form 17-6 is processed as follows: the producer fills out information related to the exportation on the VS Form 17-6 and sends it to the accredited veterinarian; the accredited veterinarian fills out the information about the health of the poultry or eggs on the VS Form 17-6, including any required test information, signs the VS Form 17-6 and sends it to the VS area office; the APHIS veterinarian reviews and endorses the VS Form 17-6 and sends it back to the producer, who sends the VS Form 17-6 to the importing country. Throughout this process, there can be time delays and additional expenses incurred for mailing or special handling to move the certificate from one place to the next.

With the use of digital signatures, the accredited veterinarian could receive, complete, and sign an automated document from the producer. The accredited veterinarian could electronically transmit the signed document to the VS area office. Therefore, this amendment would eliminate the need to pay couriers or package delivery companies and wait for delivery between the producers, accredited veterinarians, and the VS area office.

The proposed rule change would provide an additional option for signing and submitting official certificates, forms, records, and reports. While not requiring that this option be exercised, there are potential savings for those accredited veterinarians who make use of this option. The delivery costs associated with these documents can vary widely based on the delivery method used. Therefore, we cannot

accurately estimate the potential savings. However, we expect that the proposed rule change could be beneficial to accredited veterinarians and their clients, whether large or small.

An alternative to this proposed rule is to make no changes in the regulations. We rejected this alternative because accredited veterinarians will not be required to use this alternative signature method.

This proposed rule contains no new information collection or recordkeeping requirements.

#### Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This proposed rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### Regulatory Reform

This action is part of the President's Regulatory Reform Initiative, which, among other things, directs agencies to remove obsolete and unnecessary regulations and to find less burdensome ways to achieve regulatory goals.

#### List of Subjects

##### 9 CFR Part 160

Veterinarians.

##### 9 CFR Part 161

Reporting and recordkeeping requirements, Veterinarians.

Accordingly, 9 CFR parts 160 and 161 would be amended as follows:

#### PART 160—DEFINITION OF TERMS

1. The authority citation for part 160 would continue to read as follows:

Authority: 15 U.S.C. 1828; 21 U.S.C. 105, 111-114, 114a, 114a-1, 115, 116, 120, 121, 125, 134b, 134f, 612 and 613; 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 160.1, the definitions for *issue* and *sign* would be revised and the definition for *approved digital signature* would be added, in alphabetical order, to read as follows:

##### § 160.1 Definitions.

\* \* \* \* \*

*Approved digital signature.* Digital signatures approved by the

Administrator for electronic transmission, for example, via a computer. To be approved, a digital signature must be able to verify the identity of the accredited veterinarian signing the document and indicate if the integrity of the data in the signed document was compromised.

\* \* \* \* \*

*Issue.* The distribution, including electronic transmission, of an official animal health document that has been signed.

\* \* \* \* \*

*Sign, (Signed).* For an accredited veterinarian to put his or her signature in his or her own hand, or by means of an approved digital signature, on a certificate, form, record, or report. No certificate, form, record, or report is signed if:

(1) Someone other than the accredited veterinarian has signed it on behalf of or in the name of the accredited veterinarian, regardless of the authority granted them by the accredited veterinarian; or

(2) If any mechanical device, other than an approved digital signature, has been used to affix the signature.

\* \* \* \* \*

#### PART 161—REQUIREMENTS AND STANDARDS FOR ACCREDITED VETERINARIANS AND SUSPENSION OR REVOCATION OF SUCH ACCREDITATION

3. The authority citation for part 161 would continue to read as follows:

Authority: 15 U.S.C. 1828; 21 U.S.C. 105, 111-114, 114a, 114a-1, 115, 116, 120, 121, 125, 134b, 134f, 612 and 613; 7 CFR 2.22, 2.80, and 371.2(d).

4. In § 161.3 paragraph (j) would be revised to read as follows:

##### § 161.3 Standards for accredited veterinarian duties.

\* \* \* \* \*

(j) An accredited veterinarian shall be responsible for the security and proper use of all official certificates, forms, records, and reports; tags, bands, or other identification devices; and approved digital signature capabilities used in his or her work as an accredited veterinarian and shall take reasonable care to prevent the misuse thereof. An accredited veterinarian shall immediately report to the Veterinarian-in-Charge the loss, theft, or deliberate or accidental misuse of any such certificate, form, record, or report; tag, band, or other identification device; or approved digital signature capability.

\* \* \* \* \*

Done in Washington, DC, this 26th day of December 1996.

Al Strating,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-177 Filed 1-3-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-ANE-39; Amendment 39-9875; AD 97-01-05]

RIN 2120-AA64

#### **Airworthiness Directives; Williams International, L.L.C. Model FJ44-1A Turbofan Engines**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Williams International, L.L.C. Model FJ44-1A turbofan engines. This action requires initial and repetitive eddy current inspections (ECI) for possible cracks in high pressure turbine (HPT) disk blade retention posts. In addition, this AD requires the installation of advanced design HPT disks as terminating action to the inspection requirements of this AD. This amendment is prompted by two incidents of HPT disk blade retention post separations. The actions specified in this AD are intended to locate possible cracks in HPT disk blade retention posts, thereby preventing the separation of these posts and the liberation of the turbine blades that they retain, and a subsequent loss of engine power. In addition, the actions specified in this AD are intended to prevent the possible high disk speed uncontained liberation of disk posts and turbine blades, which could cause aircraft damage.

**DATES:** Effective January 21, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 21, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 7, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No.

96-ANE-39, 12 New England Executive Park, Burlington, MA 01803-5299.

The service information referenced in this AD may be obtained from Mr. John Teeter, Manager, Customer Support, Williams International, 2280 West Maple Road, P.O. Box 200, Walled Lake, MI 48390-0200; telephone (810) 624-5200, fax (810) 669-9515. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### **FOR FURTHER INFORMATION CONTACT:**

Eugene H. Messal, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, Illinois 60018; telephone (847) 294-7011, fax (847) 294-7834.

**SUPPLEMENTARY INFORMATION:** The Federal Aviation Administration (FAA) has verified two reports of inflight HPT disk post separations on Williams International model FJ44-1A turbofan engines. One of these inflight post separations was uncontained. The investigation revealed that in both cases, high pressure turbine (HPT) disk blade retention posts separated due to cracking caused by material creep/fatigue. This condition, if not corrected, could result in other engines experiencing HPT disk blade retention post separations and turbine blade liberations, and subsequent losses of engine power. In addition, this condition could, if not corrected, result in other engines experiencing high disk speed uncontained liberation of disk posts and turbine blades, which could cause aircraft damage.

The FAA has reviewed and approved the technical contents of Williams-Rolls Alert Service Bulletin (ASB) No. FJ44-A72-30, dated November 6, 1996, that describes procedures for eddy current inspections (ECI) for possible cracks in HPT disk blade retention posts; and ASB No. FJ44-A72-31, dated November 4, 1996, that describes procedures for replacement of existing HPT disks with advanced design HPT disks.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of the same design, this AD is being issued to locate possible cracks in HPT disk blade retention posts, which could lead to the liberation of the turbine blades that they retain, and subsequent loss of engine power. In addition, this AD is being issued to prevent the separation of HPT disk posts that could lead to a high disk speed uncontained liberation of disk

posts and turbine blades, which could result in aircraft damage. This AD requires initial and repetitive ECI for possible cracks in HPT disk blade retention posts. The inspection population is divided into two groups, with the higher risk group listed by engine serial number (S/N). This group of HPT disks is at a higher risk due to a lower stress rupture strength characteristic. In addition, this AD requires replacement of the existing HPT disks, Part Number (P/N) 48629, with advanced design HPT disks, P/N 55291, by July 1, 1997, as terminating action to the inspection requirements of this AD. The calendar end-dates for this AD were determined based upon each suspect disk group's time to crack initiation, subsequent crack propagation rate, and its failure probability. In addition, the total in-service cycles and hours of each of the suspect disks of both groups, and the ASB replacement parts availability were contributing factors for determining the end-dates. These actions are required to be accomplished in accordance with the ASBs described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments,