

"loophole" and does not involve a change in the fundamental recency requirements as understood by pilots. Accordingly, notice and public procedure under 5 U.S.C. 553(b)(B) are unnecessary. Further, immediate action is necessary to avoid any misinterpretation that potentially could result in a significant degradation of safety. Therefore, the FAA is issuing this amendment as a final rule without notice and comment, and finds good cause for making this amendment effective in less than 30 days.

Economic Evaluation

The FAA has determined that this rule is not a "significant regulatory action" under the criteria of Executive Order 12866. The FAA, therefore, is not required to prepare a Regulatory Impact Analysis under either the Executive Order or the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034; February 26, 1979). In nonsignificant rulemaking actions, the DOT Regulatory Policies and Procedures require the FAA to prepare a regulatory evaluation, analyzing the economic consequences of proposed regulations and quantifying, to the extent practicable, the estimated costs and anticipated benefits and the impacts of regulations.

The amendment in this final rule is merely a clarification to correct an unintended deletion of recency requirements for part 91 operations and does not change the duties or responsibilities of the aviation community. The amendment does not affect the manner in which pilots become qualified or remain current, as it is understood by pilots. The clarification does not, in economic terms, alter the process of becoming qualified or remaining current by a PIC. Accordingly, there are neither economic costs or benefits associated with this amendment.

International Civil Aviation Organization and Joint Aviation Regulations

The FAA has determined that a review of the Convention on

International Civil Aviation Standards and Recommended Practices is not warranted because this final rule reinstates a pre-existing rule that was made partially ineffective in circumstances clearly not intended by Amendment No. 61-96.

Regulatory Flexibility Determination

The final rule will not have a significant economic impact, positive or negative, on a substantial number of small entities. Moreover, only national and regional air carriers, rather than small entities, will be affected by this final rule. Therefore, a substantial number of small entities will not experience a significant economic impact as a result of this final rule.

International Trade Impact Analysis

This final rule will have a negligible impact on trade opportunities for U.S. firms doing business overseas or on foreign firms doing business in the U.S. The final rule primarily affects pilots employed by regional and national air carriers, not businesses involved in the sale of aviation products or services.

Federalism Impact

The regulations adopted herein will not have a substantial direct effect of 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, in accordance with Executive Order 12612, it is determined that this amendment does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), there are no requirements for information collection associated with this rule.

Conclusion

For the reasons discussed in the preamble, and based on the findings in the Regulatory Flexibility Determination and the International Trade Impact

Analysis, the FAA has determined that this final rule is not a significant regulatory action under Executive Order 12866. The FAA certifies that this rule 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. In addition, this final rule is not considered significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). The economic impact of this final rule is minimal and accordingly a full economic evaluation is not warranted.

List of Subjects in 14 CFR Part 61

Airmen, Reporting and recordkeeping requirements.

The Amendment

Accordingly, the FAA amends 14 CFR part 61 of the Federal Aviation Regulations as follows:

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

1. The authority citation for part 61 continues to read as follows:

Authority: 49 U.S.C. Appendix 1354(a), 1355, 1421, 1422, and 1427; 49 U.S.C. 106(g).

2. Section 61.57(f) is revised to read as follows:

§ 61.57 Recent Flight Experience: Pilot in Command

* * * * *

(f) *Exceptions.* This section does not apply to a pilot in command, employed by a part 121 or 135 air carrier, engaged in a flight operation under part 91, 121, or 135 for the air carrier, if the pilot is in compliance with §§ 121.437 and 121.439 or §§ 135.243 and 135.247 respectively.

Issued in Washington, D.C., on June 23, 1995.

David R. Hinson,

Administrator.

[FR Doc. 95-15984 Filed 6-28-95; 8:45 am]

BILLING CODE 4910-13-M