

visual inspection to detect chafing of or damage to the wire bundle in the overhead switch panel of the cockpit, in accordance with McDonnell Douglas Alert Service Bulletin DC9-24A157, dated April 11, 1995.

(1) If no chafing or damage is detected, prior to further flight, apply spiral wrap to the wire bundle in accordance with the alert service bulletin.

(2) If the wire insulation is chafed, prior to further flight, repair it and then apply spiral wrap to the wire bundle, in accordance with the alert service bulletin.

(3) If the wire conductor is damaged, prior to further flight, splice the wires and then apply spiral wrap to the wire bundle, in accordance with the alert service bulletin.

(b) For Model DC-9 and C-9 (military), and MD-90-30 series airplanes: Within 6 months after the effective date of this AD, perform a visual inspection to detect chafing of or damage to the wire bundle in the overhead switch panel of the cockpit, in accordance with McDonnell Douglas CD-9 Alert Service Bulletin DC9-24A157, dated April 11, 1995 [for Model DC-9 and C-9 (military) series airplanes], or McDonnell Douglas MD-90 Alert Service Bulletin MD90-24A001, dated April 11, 1995 (for Model MD-90-30 series airplanes), as applicable.

(1) If no chafing or damage is detected, prior to further flight, apply spiral wrap to the wire bundle in accordance with the applicable alert service bulletin.

(2) If the wire insulation is chafed, prior to further flight, repair it and then apply spiral wrap to the wire bundle, in accordance with the alert service bulletin.

(3) If the wire conductor is damaged, prior to further flight, splice the wires and then apply spiral wrap to the wire bundle, in accordance with the applicable alert service bulletin.

(c) Within 6 months after the effective date of this AD, reroute the wire bundle in the overhead switch panel of the cockpit in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(d) 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, Los Angeles ACO, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

**Note 3:** Alternative methods of compliance previously granted for amendment 39-9213, AD 95-09-10, continue to be considered as acceptable alternative methods of compliance with this amendment.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on September 11, 1995.

**D.L. Riggin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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#### 14 CFR Part 39

[Docket No. 95-NM-43-AD]

#### **Airworthiness Directives; Raytheon Corporate Jets Model BAe 125-800A and -1000A and Model Hawker 800 and 1000 Series Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Raytheon Corporate Jets Model BAe 125-800A and -1000A and Model Hawker 800 and 1000 series airplanes. This proposal would require an inspection to determine if the diode soldered connections are clean and functionally sound. This proposal would also require remake of the soldered connection and replacement of the diode with a new diode, if necessary. This proposal is prompted by reports of imperfect soldered connections in the engine starting and battery emergency control circuit. The actions specified by the proposed AD are intended to prevent incorrect fault displays in the cockpit and intermittent fault symptoms in the engine starting and battery emergency control circuits, as a result of imperfect soldered connections.

**DATES:** Comments must be received by October 27, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-43-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Raytheon Corporate Jets, Inc., Customer Support Department, Adams Field, P.O. Box 3356, Little Rock, Arkansas 72203. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; fax (206) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-43-AD." The postcard will be date stamped and returned to the commenter.

##### **Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-43-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### **Discussion**

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Raytheon Corporate Jets Model BAe 125-800A and -1000A and Model Hawker 800 and 1000 series airplanes. The CAA advises that it has received reports of imperfect soldered connections in the engine starting and battery emergency control circuit. Such connections have led to fault symptoms of an intermittent nature in these circuits. This condition, if not corrected,

could lead to incorrect fault displays in the cockpit and intermittent fault symptoms in the engine starting and battery emergency control circuits.

Raytheon Corporate Jets has issued Hawker Service Bulletin SB 24-317, dated December 22, 1994, which describes procedures for an inspection to determine if diode soldered connections are clean and functionally sound. This service bulletin also describes procedures for remake of the soldered connection or replacement of the diode with a new diode, if necessary. The CAA classified this service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require an inspection to determine if the diode soldered connections are clean and functionally sound. The proposed AD would also require remake of the soldered connection or replacement of the diode with a new diode, if necessary. The actions would be required to be accomplished in accordance with the service bulletin described previously.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that

provides for such approvals. A note has been included in this notice to clarify this long-standing requirement.

The FAA estimates that 19 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$1,140, or \$60 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 USC 106(g), 40101, 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**Raytheon Corporate Jets, Inc. (Formerly DeHavilland, Hawker Siddeley, British Aerospace PLC):** Docket 95-NM-43-AD.

*Applicability:* Model BAe 125-800A and -1000A, and Model Hawker 800 and 1000 series airplanes, as listed in Raytheon Corporate Jets Hawker Service Bulletin SB 24-317, dated December 22, 1994; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent incorrect fault displays in the cockpit and intermittent fault symptoms in the engine starting and battery emergency control circuits, as a result of imperfect soldered connections, accomplish the following:

(a) Within 6 months after the effective date of this AD, perform an inspection to determine if each diode soldered connection is clean and functionally sound, in accordance with Hawker Service Bulletin SB 24-317, dated December 22, 1994. If any diode soldered connection is not clean or not functionally sound, prior to further flight, remake the soldered connection or replace the diode with a new diode, in accordance with the service bulletin.

(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, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199

of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on September 11, 1995.

**D.L. Riggan,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-22968 Filed 9-14-95; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 311

#### OSD Privacy Program

**AGENCY:** Office of the Secretary of Defense, DOD.

**ACTION:** Proposed rule.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Office of the Joint Staff proposes to exempt the system of records JS004SECDIV, entitled Joint Staff Security Clearance Files. The exemption is needed to comply with prohibitions against disclosure of information provided the government under a promise of confidentiality and to protect privacy rights of individuals identified in the system of records.

**DATES:** Comments must be received no later than November 14, 1995, to be considered by this agency.

**ADDRESSES:** Send comments to OSD Privacy Act Officer, Directives and Records Division, Washington Headquarters Services, Correspondence and Directives, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Cragg at (703) 695-0970.

**SUPPLEMENTARY INFORMATION:**

#### Executive Order 12866

The Director, Administration and Management, Office of the Secretary of Defense has determined that this proposed Privacy Act rule for the Department of Defense does not constitute "significant regulatory action." Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles

set forth in Executive Order 12866 (1993).

#### Regulatory Flexibility Act of 1980

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

#### Paperwork Reduction Act

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act proposed rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

Investigative and other records needed to make the judgment of approval or denial of a security clearance may require that certain records in the system be protected using the specific exemption (k)(5), to insure that a source who furnished information to the Government under an express promise of confidentiality be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence will be afforded such protection.

#### List of Subjects in 32 CFR Part 311

Privacy.

Accordingly, 32 CFR part 311 is amended as follows:

1. The authority citation for 32 CFR part 311 continues to read as follows:

**Authority:** Pub. Law 93-579, 88 Stat 1896 (5 U.S.C. 552a).

2. Section 311.7 is amended by adding paragraph (c)(9) as follows:

#### § 311.7 Procedures for exemptions.

\* \* \* \* \*

(c) *Specific exemptions.* \* \* \*

(9) *System identifier and name--* JS004SECDIV, Joint Staff Security Clearance Files.

*Exemption.* Portions of this system of records are exempt pursuant to the provisions of 5 U.S.C. 552a(k)(5) from subsections 5 U.S.C. 552a(d)(1) through (d)(5).

*Authority.* 5 U.S.C. 552a(k)(5).

*Reasons.* From subsections (d)(1) through (d)(5) because the agency is required to protect the confidentiality of

sources who furnished information to the government under an expressed promise of confidentiality or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. This confidentiality is needed to maintain the Government's continued access to information from persons who otherwise might refuse to give it. This exemption is limited to disclosures that would reveal the identity of a confidential source. At the time of the request for a record, a determination will be made concerning whether a right, privilege, or benefit is denied or specific information would reveal the identity of a source.

\* \* \* \* \*

Dated: September 8, 1995.

**Linda L. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 162

[CGD-94-026]

RIN 2115-AE78

#### Inland Waterways Navigation Regulations: Wrangell Narrows, Alaska

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to allow single barge tows of up to 100 feet in width overall to transit Wrangell Narrows, Alaska. The current size restriction for single barge tows in Wrangell Narrows is 80 feet in width overall. An increase in the maximum barge width in Wrangell Narrows will allow barge operators to carry more cargo on each barge to meet the increasing needs of their Alaskan consumers. Increasing the restriction to 100 feet in width overall will have no adverse effects on navigation and marine safety in Wrangell Narrows.

**DATES:** Comments must be received on or before November 14, 1995.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 94-026), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to Room 3406 at the above address