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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM377; Special Conditions No. 25-353-SC]

Special Conditions: Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 Airplanes; High-Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC. These modified airplanes will have novel or unusual design features when compared with the state of technology envisioned in the airworthiness standards for transport category airplanes. The modification installs Thommen AD 30 Repeater Altimeters and a Skylight ADC 600 Air Data Converter Unit. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for protecting these systems from effects of high-intensity radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date for these special conditions is April 20, 2007. We must receive your comments by June 11, 2007.

ADDRESSES: You may mail or deliver comments on these special conditions

in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attention: Rules Docket (ANM-113), Docket No. NM377, 1601 Lind Avenue, SW., Renton, Washington 98057-3356. You must mark your comments Docket No. NM377. You may inspect comments in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Greg Dunn, FAA, Airplane and Flight Crew Interface Branch, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2799; facsimile (425) 227-1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that notice and opportunity for prior public comment for these special conditions is impracticable, because these procedures would significantly delay certification and delivery of the affected aircraft. In addition, the substance of these special conditions has been subject to the public comment process in several prior instances with no substantive comments received. We therefore find that good cause exists for making these special conditions effective upon issuance. However, we invite interested persons to take part in this rulemaking by submitting written comments. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive as well as a report summarizing each substantive public contact with FAA personnel about these special conditions. You may inspect the docket before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

We will consider all comments we receive by the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change these special conditions based on the comments we receive.

If you want the FAA to acknowledge receipt of your comments on these special conditions, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it back to you.

Background

On December 21, 2006, 3S Certification, LLC of Nixa, MO, applied to the Wichita Aircraft Certification Office for a Supplemental Type Certificate to modify Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes approved under Type Certificate No. A7EU. These are transport category airplanes powered by two turbojet engines with maximum takeoff weights of up to 18,000 pounds. The airplanes operate with a 2-pilot crew and can seat up to 8 passengers. The proposed modification installs Thommen AD 30 Repeater Altimeters and a Skylight ADC 600 Air Data Converter Unit. These systems have a potential to be vulnerable to HIRF external to the airplane.

Type Certification Basis

Under provisions of 14 CFR 21.101, 3S Certification, LLC must show that the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes, as changed, continue to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A7EU or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The type certification basis for the modified Dassault Falcon Fan Jet, Fan Jet Series D, Series E, and Series F airplanes includes the applicable paragraphs of CAR 4b, as amended by Amendments 4b-1 through 4b-12; Special Regulations SR-422B and 14 CFR part 25 as amended by provisions of Amendment 25-4 in lieu of CAR 4b.350(e) and (f). The type certification basis for the Dassault Mystere-Falcon 200 airplanes includes the applicable paragraphs of CAR 4b, as amended by Amendments 4b-1 through 4b-12;

Special Regulations SR-422B and 14 CFR part 25 as amended by certain sections of Amendments 25-1 through 25-46; SFAR 27 as amended by Amendments 27-1 through 27-3; and 14 CFR part 36 as amended by Amendments 36-1 through 36-12. The type certification basis for the Dassault Mystere-Falcon 20-C5, 20-D5, 20-E5, and 20-F5 airplanes includes the applicable paragraphs of CAR 4b, as amended by Amendments 4b-1 through 4b-12; Special Regulations SR-422B and 14 CFR part 25 as amended by certain sections in Amendments 25-1 through 25-56; § 25.904 and Appendix 1 as amended by Amendment 25-62; SFAR 27 as amended by Amendments 27-1 through 27-6; and 14 CFR part 36 as amended by Amendments 36-1 through 36-15. In addition, the type certification basis includes certain later amended sections of the applicable part 25 regulations that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (part 25, as amended) do not contain adequate or appropriate safety standards for the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in § 11.19, under § 11.38, and they become part of the type certification basis under the provisions of § 21.101.

Special conditions are initially applicable to the model for which they are issued. Should 3S Certification, LLC apply later for a supplemental type certificate to modify any other model included on Type Certificate No. A7EU, as applicable, to incorporate the same or similar novel or unusual design feature, these special conditions would also apply to the other model under the provisions of § 21.101.

Novel or Unusual Design Features

As noted earlier, the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5,

20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC will incorporate repeater altimeters and an air data converter unit, that will perform critical functions. These systems may be vulnerable to HIRF external to the airplane. Current airworthiness standards of part 25 do not contain adequate or appropriate safety standards for protecting this equipment from adverse effects of HIRF. Therefore, these systems are considered to be novel or unusual design features.

Discussion

There is no specific regulation that addresses protection for electrical and electronic systems from HIRF. Increased power levels from radio frequency transmitters and the growing use of sensitive avionics/electronics and electrical systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by reference, special conditions are needed for the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC. These special conditions require that new avionics/electronics and electrical systems that perform critical functions be designed and installed to preclude component damage and interruption of function because of HIRF.

High-Intensity Radiated Fields (HIRF)

With the trend toward increased power levels from ground-based transmitters, and the advent of space and satellite communication coupled with electronic command and control of the airplane, the immunity of critical digital avionics/electronics and electrical systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and an analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraph 1 or 2 below:

1. A minimum environment of 100 volts rms (root-mean-square) per meter electric field strength from 10 KHz to 18 GHz.

a. System elements and their associated wiring harnesses must be exposed to the environment without benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. An environment external to the airframe of the field strengths shown in the table below for the frequency ranges indicated. Immunity to both peak and average field strength components from the table must be demonstrated.

Frequency	Field strength (volts per meter)	
	Peak	Average
10 kHz–100 kHz	50	50
100 kHz–500 kHz	50	50
500 kHz–2 MHz	50	50
2 MHz–30 MHz	100	100
30 MHz–70 MHz	50	50
70 MHz–100 MHz	50	50
100 MHz–200 MHz	100	100
200 MHz–400 MHz	100	100
400 MHz–700 MHz	700	50
700 MHz–1 GHz	700	100
1 GHz–2 GHz	2000	200
2 GHz–4 GHz	3000	200
4 GHz–6 GHz	3000	200
6 GHz–8 GHz	1000	200
8 GHz–12 GHz	3000	300
12 GHz–18 GHz	2000	200
18 GHz–40 GHz	600	200

The field strengths are expressed in terms of peak of the root-mean-square (rms) over the complete modulation period.

The environment levels identified above are the result of an FAA review of existing studies on the subject of HIRF and of the work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee.

Applicability

These special conditions are applicable to Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC. Should 3S Certification, LLC apply later for a supplemental type certificate to modify any other model included on Type Certificate No. A7EU to incorporate the same or similar novel or unusual design feature, these special conditions would apply to that model as well under provisions of § 21.101.

Conclusion

This action affects only certain novel or unusual design features on Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC. It is not a rule of

general applicability and affects only the applicant which applied to the FAA for approval of these design features on the airplane.

The substance of the special conditions for these airplanes has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. Because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions immediately. The FAA is requesting comments to allow interested people to submit views that may not have been submitted in response to the prior opportunities for comment.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the Dassault Falcon Fan Jet, Fan Jet Series D, Series E, Series F, Mystere-Falcon 20-C5, 20-D5, 20-E5, 20-F5, and Mystere-Falcon 200 airplanes modified by 3S Certification, LLC.

1. *Protection From Unwanted Effects of High-Intensity Radiated Fields (HIRF).*

Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions:* Functions whose failure would contribute to or cause a failure condition that would prevent continued safe flight and landing of the airplane.

Issued in Renton, Washington, on April 20, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. E7-8112 Filed 4-26-07; 8:45 am]

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SOCIAL SECURITY ADMINISTRATION

20 CFR Part 401

[Docket No. SSA 2006-0074]

RIN 0960-AE88

Privacy and Disclosure of Official Records and Information

AGENCY: Social Security Administration.
ACTION: Final rules.

SUMMARY: These final rules revise our privacy and disclosure rules to clarify certain provisions and to provide expanded regulatory support for new and existing responsibilities and functions. These changes in the regulations will increase Agency efficiency and ensure consistency in the implementation of the Social Security Administration's (SSA) policies and responsibilities under the Privacy Act and the Social Security Act.

DATES: These rules are effective May 29, 2007.

FOR FURTHER INFORMATION CONTACT:

Christine W. Johnson, Office of Public Disclosure, 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 965-8563 or TTY (410) 965-5609. For information on eligibility or filing for benefits, call our national toll-free numbers, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet Web site, Social Security Online, at <http://www.socialsecurity.gov>.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/FR/index.html>.

Background

We last revised the privacy and disclosure regulations in 1980 when the Social Security Administration (SSA) was a part of the Department of Health and Human Services (DHHS) (formerly the Department of Health, Education and Welfare) and subject to DHHS' disclosure policy oversight. Since 1980, significant changes have occurred in the procedures. We are codifying these changes in the procedures governing access to, and disclosure of, personally identifiable information. We are also making minor housekeeping changes to further clarify our procedures. In general, these final rules reflect SSA's compliance with technological, legal and legislative changes that have occurred since 1980.

We are clarifying the provisions regarding requests for access to

information developed by medical sources for Social Security programs, fully describing the existing responsibilities and functions of the Privacy Officer position, establishing the new senior agency official for privacy as required by the Office of Management and Budget (OMB) and explaining the related responsibilities, and implementing SSA's new Privacy Impact Assessment process in accordance with the E-Government Act of 2002, Pub. L. 107-347. As required by OMB, we are requiring adequate safeguards against inappropriate disclosure of personal information by electronic means, e.g., over the Internet, and revising our procedures on notification of, or access to, medical records on behalf of another person, e.g., an adult or child.

These final rules also clarify SSA policy concerning an individual's access to, or notification of, program records, amend the language concerning appeal requests under the Privacy Act to include denial of access to the record, and amend the language to insert the word "written" prior to "consent" to clarify that the requirement means disclosure with written consent and expands the language to more clearly define what information we will disclose with written consent. We are revising the language to show that SSA also has physical custody of personnel records, and revising the language under disclosure of personal information in nonprogram records to show the new name of the former General Accounting Office.

These final rules amend the language under disclosure of personal information in program records to make clear that we disclose information from program records only when there is a legitimate need for the information, and revise the language under disclosures required by law to show the current name for Aid to Families with Dependent Children. We are amending the language under compatible purposes to clearly state how we implement the routine use provision of the Privacy Act (5 U.S.C. 552a(b)(3)) and what we mean by routine use in terms of the information we can disclose, and amending the language under law enforcement purposes to clarify that disclosures under 5 U.S.C. 552a(b)(7) also require a written request. We are amending the language under statistical and research activities to reflect the language in the new routine use of data for research purposes, amending the language in the General Accounting Office section to correctly reflect the new name of the agency, and clarifying certain matters related to our rules on