(iii) The responsible individual may receive a suspension without pay for a period not to exceed 14 days; and

(iv) The responsible individual will be advised that future violations could result in the denial of access to classified material or other adverse actions as may be appropriate, including dismissal.

Subpart C—Mandatory Declassification Review

§ 1312.32 Purpose and authority.

Other government agencies, and individual members of the public, frequently request that classified information in OMB files be reviewed for possible declassification and release. This subpart prescribes the procedures for such review and subsequent release or denial. It is issued under the authority of Executive Order 12958, April 20, 1995, as implemented by Directive No. 1, Information Security Oversight Office (60 FR 53402, October 13, 1995).

§ 1312.33 Responsibility.

All requests for the mandatory declassification review of classified information in OMB files should be addressed to the Associate Director for Administration, who will acknowledge receipt of the request. When a request does not reasonably describe the information sought, the requester shall be notified that unless additional information is provided, or the scope of the request is narrowed, no further action will be taken. All requests will receive a response within 180 days of receipt of the request.

§ 1312.34 Information in the custody of OMB.

Information contained in OMB files and under the exclusive declassification jurisdiction of the office will be reviewed by the office of primary interest to determine whether, under the declassification provisions of the Order, the requested information may be declassified. If so, the information will be made available to the requestor unless withholding is otherwise warranted under applicable law. If the information may not be released, in whole or in part, the requestor shall be given a brief statement as to the reasons for denial, a notice of the right to appeal the determination to the Deputy Director, OMB, and a notice that such an appeal must be filed within 60 days in order to be considered.

§ 1312.35 Information classified by another agency.

When a request is received for information that was classified by another agency, the Associate Director for Administration will forward the request, along with any other related materials, to the appropriate agency for review and determination as to release. Recommendations as to release or denial may be made if appropriate. The requester will be notified of the referral, unless the receiving agency objects on the grounds that its association with the information requires protection.

§ 1312.36 Appeal procedure.

Appeals received as a result of a denial, see § 1312.34, will be routed to the Deputy Director who will take action as necessary to determine whether any part of the information may be declassified. If so, he will notify the requester of his determination and make that information available that is declassified and otherwise releasable. If continued classification is required, the requestor shall be notified by the Deputy Director of the reasons thereafter. Determinations on appeals will normally be made within 60 working days following receipt. If additional time is needed, the requestor will be notified and this reason given for the extension. The agency's decision can be appealed to the Interagency Security Classification Appeals Panel.

§ 1312.37 Fees.

There will normally be no fees charged for the mandatory review of classified material for declassification under this section.

[FR Doc. 96–23727 Filed 9–16–96; 8:45 am]

BILLING CODE 3110–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM–132, Notice No. SC–96–5–NM]

Special Conditions: Lockheed Martin Aerospace Corp. Model L382J Airplane

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This document proposes special conditions for the Lockheed Martin Aerospace Corp. Model L382J airplane. This airplane will have a novel or unusual design feature(s) associated with the installation of a dual head up display (HUD) to be used as a primary flight display (PFD) for all regimes of normal operation. The HUD will satisfy the basic requirements of § 25.1321 and serve as the primary source of flight director command information. This document contains the additional safety standards which the Administrator considers necessary to establish a level of safety equivalent to that established by the airworthiness standards of Part 25 of the federal Aviation Regulations (FAR).

DATES: Comments must be received on or before November 1, 1996.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attention: Rules Docket (ANM–7), Docket No. NM–132, 1601 Lind Avenue SW, Renton, Washington 98055–4056; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked: Docket No. NM–132. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Dale Dunford, FAA, Flight Test and Systems Branch, ANM–111, Transport Standards Staff, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW, Renton, Washington, 98055–4056; telephone 206–227–2239.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these proposed special conditions by submitting such written data, views, or augments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before further rulemaking action on this proposal is taken. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested parties. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. NM–132.'' The postcard will be date/time stamped and returned to the commenter.

Background

On August 2, 1992, Lockheed Martin Aerospace Co. applied for an amendment to their Type Certificate No. A1SO to include their new Model L382J. The Model L382J is a derivative of the L382B/E/G currently approved under Type Certificate No. A1SO, and features a new engine (with approximately the same rated horsepower, but heavily flat-rated) and propeller, both of which are controlled by a full authority digital engine control. Additionally, the flight deck is substantially modified by the installation of four liquid crystal flight displays, dual head-up displays, and Mil-Std 1553 data buses. The flight engineer position is deleted, requiring automation of some functions as well as redesign of the front and overhead panels. Some structure has been modified but the aerodynamics of the airplane are essentially unchanged. The latest part 25 requirement will be used for all significantly modified portions of the Model 382J (as compared to the present L382), and, for the unmodified portions of the airplane, the applicable certification standard will be the Part 25 rules that were effective on February 1, 1965.

The existing rule, § 25.1321, did not anticipate the design features, symbology, chromatic limitations, and pilot view constraints associated with most HUDs. This particular HUD application is the first attempt to qualify the HUD as a PFD. Current head down displays (HDD) provide all primary and other information without requiring the flightcrew to transition from one lighting and information display format to another and are very tolerant of pilot head position regarding acquiring primary flight data. This HUD application would require the flight crewmember using the HUD to limit head position in order to ensure the ability to acquire the necessary flight information and to frequently transition to a different lighting condition and display format to acquire flight mode and navigation information. These proposed special conditions provide all the necessary requirements to determine acceptability of the HUD as a PFD. A proof of concept effort is required to substantiate that for the particular application there are no unsafe features.

Type Certification Basis

Under the provisions of § 21.101, Lockheed Martin Aerospace Corp. must show that the Model L382J meets the applicable provisions of the regulations incorporated by reference in Type Certificate No. A1SO or the applicable regulations in effect on the date of application for the changes to the Model L382. In addition, the certification basis includes certain special conditions and later amended sections of Part 25 that are not relevant to these proposed special conditions.

If the Administrator finds that the applicable airworthiness regulations (i.e., Part 25 as amended) do not contain adequate or appropriate safety standards for the Model L382J because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with § 21.101(b)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The Model L382J will incorporate a novel or unusual design feature which is a dual head up display of primary flight information in a monochromatic format using appropriate symbology that may be different from similar information provided in the head down display.

As discussed above, these special conditions are applicable to the L382J. Should Lockheed Martin Aerospace Corp. apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain novel or unusual design features on one model of airplanes. It is not a rule of general applicability, and it affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Air Transportation, Aircraft, Aviation safety, Safety.

The authority citation for these special conditions is as follows:

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

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Lockheed Martin Aerospace Corp. L382J airplanes.

1. Display Requirements

a. The HUD must provide adequate information to permit rapid evaluation of the airplane's flight state and position during all phases of flight. This must be shown to be adequate for manually controlling the airplane, and for monitoring the performance of the automatic flight control system. The monochrome HUD must be compliant with the display criteria contained in Advisory Circular 25–11, except for the color criteria. Demonstration of the HUD system adequacy for manually controlling the airplane shall be in accordance with the methodology outlined in the FAA Handling Qualities Rating Method (HQRM). This demonstration requirement is extended to all HUD display formats, unless use of specific formats is prohibited for specific phases of flight.

b. Symbols must appear clean-shaped, clear, and explicit. Lines must be narrow, sharp-edged, and without halo or aliasing. Symbols must be stable with no discernible flicker or jitter.

c. For all phases of flight, the HUD must update the positions and motions of primary control symbols with sufficient rates and latencies to support satisfactory manual control performance.

d. The HUD display must present all information in a clear and unambiguous manner. Display clutter must be minimized. The HUD symbology must not excessively interfere with pilots' forward view, ability to visually maneuver the airplane, acquire opposing traffic, and see the runway environment. Some data elements of primary flight displays are essential or critical, and must not be removed by an declutter function. Changes in the display format and primary flight data arrangement should be minimized to prevent confusion and to enhance the pilots' ability to interpret vital data.

e. The arrangement and format of the information must be sufficiently compatible with the head down displays to preclude pilot confusion, misinterpretation, or excessive cognitive workload. Immediate transition between the two displays, whether required by navigation duties, failure conditions, unusual airplane attitudes, or other reasons, must not present difficulties in data interpretation or delays/interruptions in the crew's ability to manually control the airplane or to monitor the automatic flight controls system.

f. If a wind shear detection system, a ground proximity warning system (GPWS), or a traffic alert and collision avoidance system (TCAS), as installed, the guidance, warnings, and annunciations required to be a part of these systems, and normally required to be in the pilot's primary field of view, must be displayed on the HUD.

g. The HUD display must be demonstrated to be adequate for airplane recovery from

unusual attitudes. This capability must be shown for all foreseeable modes of upset, including crew mishandling, autopilot failure (including ''slowovers''), and turbulence/gust encounters.

2. Installation Requirements

a. The arrangement of HUD display controls must be visible to and within reach of the pilot from any normal seated position. The position and movement of the controls must not lead to inadvertent operation. The HUD controls must be adequately illuminated for all normal background lighting conditions, and must not create any objectionable reflections on the HUD or other flight instruments.

b. The display brightness must be satisfactory in the presence of dynamically changing background (ambient) lighting conditions. If automatic control is not provided, it must be shown that a single setting is satisfactory. When the brightness level is altered, the relative luminance of each displayed symbol, character, or data shall vary smoothly. In no case shall any selectable brightness level allow any information to be invisible while other data remains discernible. There shall be no objectionable brightness transients when transitioning between manual and automatic control. The HUD data shall be visible in lighting conditions from 0 fL to 10,000 fL. If certain lighting conditions prevent the crew to adequately seeing and interpreting HUD data (for example, flying directly toward the sun), accommodation must be provided to permit the crew to make a ready transition to the head down displays.

c. To the greatest extent practicable, the HUD controls must be integrated with other controls, including the flight director, to minimize the crew workload associated with HUD operation and to ensure flightcrew awareness of engaged flight guidance modes.

d. The installation of the HUD system must not interfere or restrict other installed equipment such as emergency oxygen masks, headsets, or microphones. The installation of the HUD must not adversely affect the emergency egress provisions for the flightcrew, or significantly interfere with crew access. The system also must not hinder the crew's movement while conducting any flight procedures.

e. The installation of the HUD system must not present the crew with any objectionable glare or reflection in any lighting conditions. This is equally applicable from glare or reflections visible on the HUD system itself, or that originating from the HUD system and visible in other ares such as the windshield. The installation of the HUD system must not significantly obstruct either pilot's external field of view when both combiners are deployed. The external view requirements of § 25.773 must be retained with both combiners deployed.

f. The HUD system must be designed and installed to prevent the possibility of pilot injury in the event of an accident or any other foreseeable circumstance such as turbulence encounter, hard landing, bird strike, etc. The installation of the HUD, including overhead unit and combiner, must comply with the head injury criteria of § 25.562, Amendment 25–64.

g. The design eyebox shall be centered around each pilot's design eye position, and must be large enough that the minimum monocular field of view is visible at the following minimum displacements from the cockpit Design Eye Position:

Lateral: 1.5 inches left and right
Vertical: 1.0 inches up and down
Longitudinal: 2.0 inches fore and aft

These requirements must be met for pilots from 5′2″ to 6′3″ tall, while seated with seat belts fastened and with the pilot positioned at the design eye position (ref. § 25.777(c)). Larger eyebox dimensions may be required for meeting operational requirements for use as a full time primary flight display.

h. The HUD system combiner must not create any objectionable distortion of the pilot's external view. The optical qualities (accommodation, luminance, vergence) of the HUD shall be uniform across the entire field of view. When viewed by both eyes from any off-center position within the eyebox, non-uniformities shall not produce perceivable differences in binocular view. Notwithstanding compliance with these minimum eyebox dimensions, the HUD eyebox must be large enough to adequately serve as a primary flight display without inducing adverse effects on pilot vision and fatigue.

3. System Requirements

a. The HUD system must be shown to perform its intended function as a primary flight display during all phases of flight. The normal operation of the HUD system cannot adversely affect, or be adversely affected by other airplane systems. Malfunctions of the HUD system which cause loss of all primary flight displays, including both HUDs and HDDs, shall be extremely improbable.

b. The criticality of the HUD system's function to display flight and navigation data, including the potential to display hazardously misleading information, must be assessed according to §§ 25.1309 and 25.1333, Advisory Circular (AC) 25–11 paragraph 4.a., and AC 25.1309–1A. All alleviating flightcrew actions that are considered in the HUD safety analysis must be validated during testing for incorporation in the airplane flight manual procedures section or for inclusion in type-specific training.

c. Since the display of hazardously misleading information on more than one primary flight display must be extremely improbable, HUD system software shall be developed to Level A requirements, as specified by RTCA Document DO–178B, ''Software Considerations in Airborne Systems and Equipment Certification.''

d. The HUD system must monitor the position of the combiner and provide a warning to the crew when the combiner position is such that conformal symbols will be hazardously misaligned.

e. The HUD system must be shown adequate for airplane control and guidance during an engine failure any phase of flight.

f. There must be no adverse physiological effects of long term use of the HUD system, such as fatigue or eye strain, that cause the pilot to have to revert to the HDD. Use of the HUD system also cannot require excessive cognitive workload or unreasonable limitations on head position.

g. The current mode of the flight guidance/automatic flight control system, shall be clearly annunciated in the HUD unless there are compensating features.

i. The HUD system must be shown to comply with the high intensity radiated fields certification requirements specified in another special condition, not yet finalized.

Issued in Renton, Washington, on September 9, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 96–23815 Filed 9–16–96; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 96–NM–99–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80 and C–9 (Military) Series Airplanes, and Model MD–88 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 McDonnell Douglas Model DC–9, DC–9–80 and C–9 (military) series airplanes, and Model MD–88 airplanes. This proposal would require either installation of external protective doublers between the outboard flight spoiler actuators and the aft spar webs of the wings, or replacement of the pistons of the outboard flight spoiler actuators with improved pistons. This proposal is prompted by reports of failure of the piston of the outboard flight spoiler actuator due to fatigue at the clevis end of the upper lug mounting hole of the piston. The actions specified by the proposed AD are intended to prevent such failure of the piston and the consequent puncturing of the aft spar web. This condition, if not corrected, could result in fuel leakage and reduced structural integrity of the wings.

DATES: Comments must be received by October 28, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–99–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this