

AD, perform an HFEC inspection of BS 1000 bulkhead chord for cracks, a detailed inspection of the bathtub fittings, if installed, for cracks, and corrective action, as applicable, by accomplishing all the actions specified in the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2471, dated March 27, 2003. Any applicable corrective action must be done before further flight. Corrective actions include replacing only those bathtub fittings that are found to be cracked. Accomplishment of the HFEC and detailed inspections required by this paragraph ends the requirements of paragraphs (f) and (g) of this AD.

**Note 1:** The 6,000-cycle post-modification inspection threshold in paragraph (k) of this AD is valid only if the chord is replaced along with all bathtub fittings corresponding to the side of the airplane (left or right) in which the chord was replaced.

**Note 2:** For the purposes of this AD, a detailed inspection is "an intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirrors, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required."

(1) Prior to the accumulation of 10,000 total flight cycles.

(2) Within 18 months after the effective date of this AD.

(3) For airplanes on which the repair (*i.e.*, chord replacement) has been accomplished in accordance with Boeing Service Bulletin 747-53-2362, dated March 26, 1992, or in accordance with paragraph (f) or (g) of this AD (*i.e.*, per Boeing Service Bulletin 747-53-2064, Revision 4, dated September 23, 1983): Within 3,000 flight cycles after the replacement was accomplished.

**Note 3:** Repairs (*i.e.*, chord replacement) accomplished prior to the effective date of this AD in accordance with Boeing Service Bulletin 747-53-2064, Revision 1, dated May 18, 1973; Revision 2, dated February 22, 1974; Revision 3, dated September 13, 1974; Revision 5, dated July 23, 1987; or Revision 6, dated June 22, 1989; are also considered to be applicable to the inspection threshold specified in paragraph (h)(3) of this AD.

(i) If any crack is found during any inspection required by paragraph (h) of this AD, and Boeing Alert Service Bulletin 747-53A2471, dated March 27, 2003, specifies contacting Boeing for additional information: Before further flight, repair according to a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or according to data meeting the certification basis of the airplane approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically reference this AD.

#### Repetitive Inspections

(j) Except as provided by paragraph (k) of this AD, repeat the inspections required by paragraph (h) of this AD thereafter at intervals not to exceed 3,000 flight cycles.

(k) For the side of the airplane on which the chord and all corresponding bathtub fittings for that side of the airplane (left or right) were replaced in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2471, dated March 27, 2003: Repeat the inspections required by paragraph (h) of this AD within 6,000 flight cycles after accomplishing replacement of the chord and bathtub fittings. Thereafter repeat the inspections at intervals not to exceed 3,000 flight cycles.

#### Alternative Methods of Compliance (AMOC)

(l)(1) In accordance with 14 CFR 39.19, the Manager, Seattle ACO, FAA, is authorized to approve AMOCs for this AD.

(2) AMOCs, approved previously in accordance with AD 90-09-09, amendment 39-6586, are approved as AMOCs to paragraph (f) or (g) of this AD, as applicable.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the approval must specifically refer to this AD.

#### Material Incorporated by Reference

(m) You must use Boeing Alert Service Bulletin 747-53A2471, dated March 27, 2003; and Boeing Service Bulletin 747-53-2064, Revision 4, including Addendum, dated September 23, 1983; as applicable, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approves the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For copies of the service information, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

You may view the AD docket at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW, room PL-401, Nassif Building, Washington, DC. To review copies of the service information, go to the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on May 11, 2005.

**Jeffrey E. Duven,**

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

[FR Doc. 05-9880 Filed 5-18-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-21238; Directorate Identifier 2005-NE-12-AD; Amendment 39-14093; AD 2005-10-16]

RIN 2120-AA64

#### Airworthiness Directives; General Electric (GE) CF6-80E1 Series Turbofan Engines

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for General Electric (GE) CF6-80E1 series turbofan engines that have an electronic control unit (ECU) with software version E.1.M. or earlier installed. This AD requires installing improved software for the ECU. This AD results from an uncommanded engine acceleration event caused by a failure of the ECU digital interface unit (DIU). We are issuing this AD to prevent an undetected failure of the ECU DIU, which could result in uncommanded acceleration to the overspeed limit without response to throttle commands. The airplane could then experience asymmetric thrust.

**DATES:** This AD becomes effective June 3, 2005. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of June 3, 2005.

We must receive any comments on this AD by July 18, 2005.

**ADDRESSES:** Use one of the following addresses to comment on this AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact General Electric Company via Lockheed Martin Technology Services, Lockheed Martin Technical Services,

Distribution Center, 1330 Kemper Meadow Drive, Suite 110-C, Cincinnati, Ohio 45240, telephone (513) 672-8400; fax (513) 672-8422, or E-mail: [lmco\\_distribution@ae.ge.com](mailto:lmco_distribution@ae.ge.com) for the service information identified in this AD; or

Sign on to the GEAE Customer Web Center (CWC): <https://customer.geae.com>.

#### FOR FURTHER INFORMATION CONTACT:

Karen Curtis, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7192; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** In June 2003, a CF6-80E1 engine experienced an uncommanded acceleration and did not respond to throttle commands during cruise. The pilot shut down the engine by switching off the master lever. GE investigated the uncommanded acceleration and confirmed that failure of the ECU DIU caused the event. This failure corrupted all the digital interfaces with the airplane, ECU pressure subsystem, and opposite ECU channel. The ECU used a default ambient pressure value, which scheduled fuel flow to a higher than intended value. In addition, the DIU failure corrupted the channel-health and channel-activity data communication between channels and allowed the failed channel to remain active while the healthy channel became active. The existing ECU software logic did not detect and record the DIU fault and did not ensure control of the engine by the healthy channel. Failure of the DIU, if not detected, could result in an uncommanded engine acceleration to the overspeed limit, without response to throttle commands. The airplane may then experience asymmetric thrust.

#### Relevant Service Information

We have reviewed and approved the technical contents of GE Aircraft Engines CF6-80E1 Service Bulletin (SB) 73-0070, dated June 22, 2004, and SB 73-0070, Revision 01, dated March 21, 2005, that describe procedures for uploading new software E.1.N. to the ECU.

#### FAA's Determination and Requirements of This AD

Although no airplanes that are registered in the United States use these engines, the possibility exists that these engines could be used on airplanes that are registered in the United States in the future. The unsafe condition described previously is likely to exist or develop on other GE CF6-80E series turbofan

engines of the same type design that have an ECU with software version E.1.M or earlier installed. We are issuing this AD to prevent undetected failure of the ECU DIU. This AD requires installing improved ECU software version E.1.N at the next ECU exposure. You must use the service information described previously to perform the actions required by this AD.

#### FAA's Determination of the Effective Date

Since there are currently no domestic operators of these GE CF6-80E1 series turbofan engines, notice and opportunity for public comment before issuing this AD are unnecessary. A situation exists that allows the immediate adoption of this regulation.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to send us any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. 2005-10-16, FAA-2005-21238; Directorate Identifier 2005-NE-12-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of the DMS web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

#### Examining the AD Docket

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the DMS Docket Offices between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the

street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Under the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 U.S.C. 106(g), 40113, 44701.

### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2005–10–16 General Electric Company:**  
Amendment 39–14093. Docket No. FAA–2005–21238; Directorate Identifier 2005–NE–12–AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective June 3, 2005.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to all General Electric (GE) CF6–80E1 series turbofan engines with electronic control unit (ECU) part numbers (P/N's) 1799M99P12, 1851M74P05, 1851M80P05, and 1960M84P03 or earlier installed. These (GE) CF6–80E1 series engines are installed on, but not limited to, Airbus Industrie (AI) A330 airplanes.

#### Unsafe Condition

(d) This AD results from an uncommanded engine acceleration event caused by a failure of the ECU digital interface unit (DIU). We are issuing this AD to prevent undetected failure of the ECU DIU, which could result in uncommanded acceleration to the overspeed limit without response to throttle commands. The airplane could then experience asymmetric thrust.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

#### GE CF6–80E1A4/B Engines

(f) For GE CF6–80E1A4/B engines with ECU's that already have software version E.1.N installed, no further action is required.

#### All Other CF6–80E1 Series Turbofan Engines

(g) At next ECU exposure, upload improved software version E.1.N. Use the Accomplishment Instructions of either of GE Aircraft Engines CF6–80E1 Service Bulletin (SB) 73–0070, dated June 22, 2004, or SB 73–0070, Revision 01, dated March 21, 2005.

(h) For the purposes of this AD, the next ECU exposure is defined as the next removal of the ECU for repair, or the next engine shop visit, whichever occurs sooner.

(i) After the effective date of this AD, do not install any ECU that has a software version earlier than E.1.N onto any engine.

#### Alternative Methods of Compliance

(j) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(k) None.

#### Material Incorporated by Reference

(l) You must use of General Electric (GE) Aircraft Engines CF6–80E1 Service Bulletin (SB) 73–0070, dated June 22, 2004, or SB 73–0070, Revision 01, dated March 21, 2005 to install the updated software required by this AD. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact General Electric Company via Lockheed Martin Technology Services, Lockheed Martin Technical Services, Distribution Center, 1330 Kemper Meadow Drive, Suite 110–C, Cincinnati, Ohio 45240, telephone (513) 672–8400; fax (513) 672–8422, or e-mail: [lmco\\_distribution@ae.ge.com](mailto:lmco_distribution@ae.ge.com) for the service information identified in this AD; or Go to the GEAE Customer Web Center (CWC): <https://customer.geae.com>. You may review copies at the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–001, on the Internet at <http://dms.dot.gov>, or at the National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, call 202–741–6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Burlington, Massachusetts, on May 12, 2005.

**Robert Ganley,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
[FR Doc. 05–9887 Filed 5–18–05; 8:45 am]

**BILLING CODE 4910–13–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Parts 1260, 1273, and 1274

RIN 2700–AD11

#### NASA Grant and Cooperative Agreement Handbook—Research Misconduct

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends several of the NASA Grant and Cooperative Agreement Handbook sections, which are all entitled, “Definitions,” to include Research Misconduct as a defined term. In addition, provisions would be added to implement NASA’s requirements on research misconduct.

**DATES:** *Effective Date:* May 19, 2005.

**FOR FURTHER INFORMATION CONTACT:** Paul Brundage, NASA Headquarters, Code HC, Washington, DC, (202) 358–0481, e-mail: [paul.d.brundage@nasa.gov](mailto:paul.d.brundage@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

NASA published a final rule in the **Federal Register** at 69 FR 42102 on July 14, 2004, (see 14 CFR part 1275), which defined and established policy and procedures regarding research misconduct. This final rule implements those policies and procedures for grants and cooperative agreements.

##### B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the changes will affect an insignificant number of grants and cooperative agreements.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management (OMB) and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 14 CFR Parts 1260, 1273, and 1274

Grant Programs—Science and technology.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR parts 1260, 1273, and 1274 are amended as follows:

## PART 1260—GRANTS AND COOPERATIVE AGREEMENTS

■ 1. The authority citation for 14 CFR part 1260 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1), Pub. L. 97–258, 96 Stat. 1003 (31 U.S.C. 6301, *et seq.*), and OMB Circular A–110.

■ 2. Add § 1260.40 to read as follows:

#### § 1260.40 Investigation of Research Misconduct.

##### Investigation of Research Misconduct (May 2005)

Recipients of this grant or cooperative agreement are subject to the requirements of 14 CFR part 1275, “Investigation of Research Misconduct.”  
[End of provision]

■ 3. Amend § 1260.102 by adding the definition for “Research misconduct” after “Research and development” to read as follows:

#### § 1260.102 Definitions.

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