

**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 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

2. Section 39.13 is amended by removing amendment 39-11481 (64 FR 72533, December 28, 1999), and by adding a new airworthiness directive (AD), to read as follows:

**Airbus:** Docket 2001-NM-339-AD.

Supersedes AD 99-26-22, Amendment 39-11481.

**Applicability:** Model A319 and A320 series airplanes, certificated in any category; except airplanes that have Airbus Modifications 24850 and 25844 and 27275 installed in production; or that have Airbus Service Bulletin A320-25-1156, Revision 01, dated February 2, 1999; or Revision 02, dated October 26, 1999; and Airbus Service Bulletin A320-25-1265, dated June 6, 2001; accomplished.

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

To prevent the loss of the emergency evacuation slides during flight, which could result in damage to the fuselage, and to prevent incorrect inflation of the emergency evacuation slides, which could result in the emergency exits being unusable during an emergency evacuation, accomplish the following:

**Restatement of Requirements of AD 99-26-22****Terminating Modification**

(a) For airplanes on which Airbus Modifications 24850 and 25844; or Airbus Service Bulletin A320-25-1156, Revision 01, dated February 2, 1999, or Revision 02, dated October 26, 1999; have not been accomplished: Within 5 years after February 1, 2000, modify the off-wing emergency evacuation slides (*i.e.*, modifications, inspection, repair, and repacking) in accordance with Airbus Service Bulletin A320-25-1156, Revision 01, dated February 2, 1999; or Revision 02, dated October 26, 1999. After the effective date of this AD, only Revision 02 may be used.

**Note 1:** Airbus Service Bulletin A320-25-1156, Revision 01, dated February 2, 1999; and Revision 02, dated October 26, 1999; refer to Air Cruisers Service Bulletins 004-25-37, Revision 2, dated May 29, 1996, and 004-25-42, dated September 16, 1996, as additional sources of service information for

accomplishment of the modification of the off-wing escape slides.

**New Requirements of This AD**

(b) For airplanes listed in Airbus Service Bulletin A320-25-1265, dated June 6, 2001: Within 3 years after the effective date of this AD, modify the left and right off-wing emergency evacuation slides in accordance with the Accomplishment Instructions of that service bulletin.

**Note 2:** Airbus Service Bulletin A320-25-1265, dated June 6, 2001, refers to Air Cruisers Service Bulletins 004-25-48, Revision 3, dated August 3, 2001, as an additional source of service information for accomplishment of the modification of the off-wing emergency evacuation slides.

**Spares**

(c) As of the effective date of this AD, no person may install, on any airplane, an off-wing emergency evacuation slide having part number D31865-101, -102, -103, -104, -105, -106, -107, or -108.

**Alternative Methods of Compliance**

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, FAA, is authorized to approve alternative methods of compliance for this AD.

**Note 3:** The subject of this AD is addressed in French airworthiness directive 2001-380(B), dated September 5, 2001.

Issued in Renton, Washington, on December 29, 2003.

**Ali Bahrami,**

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

[FR Doc. 04-51 Filed 1-2-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2003-NM-115-AD]

RIN 2120-AA64

**Airworthiness Directives; Saab Model SAAB 2000 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 Saab Model SAAB 2000 series airplanes. This proposal would require measuring the torque of the adjustable pin in the rear attachment of the intermediate strut for both engines, and retorquing the adjustable pins to the correct torque value. This action is necessary to prevent long-term damage

to the engine mounting structure (EMS), and loss of redundancy on the EMS, which could result in possible separation of an engine from the airplane, reduced controllability of the airplane, and injury to persons or property on the ground. This action is intended to address the identified unsafe condition.

**DATES:** Comments must be received by February 4, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2003-NM-115-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: *9-anm-nprmcomment@faa.gov*. Comments sent via fax or the Internet must contain "Docket No. 2003-NM-115-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in the proposed rule may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Rosanne Ryburn, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4057; telephone (425) 227-2139; fax (425) 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 action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.

- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2003-NM-115-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-114, Attention: Rules Docket No. 2003-NM-115-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The Luftfartsverket (LFV), which is the airworthiness authority for Sweden, notified the FAA that an unsafe condition may exist on certain Saab Model SAAB 2000 series airplanes. The LFV advises that, during two inspections, torque values that were too low were found for the adjustable pin in the rear attachment of the intermediate structure of the engine mounting structure (EMS). Further investigation revealed that the manufacturer's airplane maintenance manual and a relevant service bulletin both specify torque values that are too low. This condition, if not corrected, could result in long-term damage to the EMS, and loss of redundancy on the EMS, which could also result in possible separation of an engine from the airplane, reduced controllability of the airplane, and injury to persons or property on the ground.

#### Explanation of Relevant Service Information

Saab has issued Saab Service Bulletin SAAB 2000-71-014, dated January 23,

2003, which describes procedures for measuring the torque of the adjustable pin in the rear attachment of the intermediate strut for both engines, and retorquing the adjustable pin to the correct torque value. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The LFV classified this service bulletin as mandatory and issued Swedish airworthiness directive 1-183, dated January 23, 2003, to ensure the continued airworthiness of these airplanes in Sweden.

#### FAA's Conclusions

This airplane model is manufactured in Sweden 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 LFV has kept the FAA informed of the situation described above. The FAA has examined the findings of the LFV, 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.

#### Explanation of Requirements of Proposed Rule

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 accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

#### Difference Between the Proposed AD and the Service Bulletin

Although the Accomplishment Instructions of the service bulletin specify to report inspection results, this proposed AD does not require that action.

#### Cost Impact

The FAA estimates that 3 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$65 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$390, or \$130 per airplane.

The 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 cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

#### Regulatory Impact

The regulations proposed herein would 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. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

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 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

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

**Saab Aircraft AB:** Docket 2003-NM-115-AD.

*Applicability:* Model SAAB 2000 series airplanes, serial numbers -004 through -063 inclusive; certificated in any category.

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

To prevent long-term damage to the engine mounting structure (EMS), and loss of redundancy on the EMS, which could result in possible separation of an engine from the airplane, reduced controllability of the airplane, and injury to persons or property on the ground, accomplish the following:

#### Service Bulletin References

(a) The following information pertains to the service bulletin referenced in this AD:

(1) The term "service bulletin," as used in this AD, means the Accomplishment Instructions of Saab Service Bulletin SAAB 2000-71-014, dated January 23, 2003.

(2) Although the service bulletin specifies to submit certain information to the manufacturer, this AD does not include such a requirement.

#### Torque Check

(b) Within 3 months after the effective date of this AD: Measure the torque of the adjustable pin in the rear attachment of the intermediate strut for both engines, in accordance with the inspection requirements and torque values in the service bulletin.

#### Retorque

(c) Retorque the adjustable pin in the intermediate strut rear attachment of the EMS to the correct torque value, in accordance with the service bulletin.

#### Alternative Methods of Compliance

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, is authorized to approve alternative methods of compliance for this AD.

**Note 1:** The subject of this AD is addressed in Swedish airworthiness directive 1-183, dated January 23, 2003.

Issued in Renton, Washington, on December 23, 2003.

**Ali Bahrami,**

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

[FR Doc. 04-31 Filed 1-2-04; 8:45 am]

**BILLING CODE 4910-13-P**

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### 36 CFR Parts 1254 and 1256

RIN 3095-AB11

#### Restrictions on the Use of Records

**AGENCY:** National Archives and Records Administration.

**ACTION:** Proposed rule.

**SUMMARY:** NARA proposes to revise its regulations on access to Federal records and donated historical materials containing restricted information. This proposal entirely rewrites and reorganizes this portion of NARA's regulations to incorporate several

changes, and also to clarify it using plain language. The regulation has been updated to bring the language on access restrictions in better conformance with the Freedom of Information Act (FOIA). In addition, we propose to remove an existing policy that allows access to restricted information for purposes of biomedical statistical research. This proposed rule would affect the public and Federal agencies.

**DATES:** Comments must be received on or before March 5, 2004.

**ADDRESSES:** Send comments to Regulation Comments Desk (NPOL), Room 4100, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. You may fax comments to (301) 837-0319 or e-mail them to [comments@nara.gov](mailto:comments@nara.gov). You may also comment via [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Jennifer Davis Heaps at (301) 837-1801.

**SUPPLEMENTARY INFORMATION:** This proposed rule contains discussion of important changes in our regulations dealing with access to archival materials. We have made additional changes in presenting the information. We also have written the proposed regulation in plain language following the Presidential Memorandum of June 1, 1998, Plain Language in Government Writing.

#### What Substantive Changes Have Been Made in These Proposed Regulations?

We have broadened the scope of 36 CFR part 1256, currently titled Restrictions on the Use of Records, to cover access to archival holdings in general. Specifically, we:

- Renamed the part Access to Records and Donated Historical Materials to reflect the proposed scope of the whole part, which covers NARA's policies on access to our holdings, including information about restrictions on Federal records and donated historical materials.

- Updated and renumbered the current §§ 1256.10 through 1256.18 on NARA's general restrictions which parallel selected FOIA exemptions to include all exemptions, reflect Department of Justice guidance on exemption (b)(2), and show statutory changes to the wording of other exemptions.

- Removed references to the publication of restrictions in the *Guide to the National Archives of the United States* because the information on general restrictions in the Guide is no longer current.

- Removed the current subpart B on specific restrictions because all

restrictions that agencies designate must be in compliance with the Freedom of Information Act.

- Created a new section, § 1256.44, on conditions for the release of restricted information in Federal records or materials withheld under any general restriction.

- Added information on how to request access to restricted information in donated historical materials.

- Moved subparts C and D from 36 CFR part 1254 into 36 CFR part 1256 because they relate to general information about access to records and donated historical materials. We will revise the remainder of Part 1254 later this year.

- Removed our procedures for granting permission to do biomedical statistical or quantitative research in privacy-restricted records.

Other than rewriting in plain language, we have not changed the process for access to United States Information Agency (USIA) audiovisual records accessioned into the National Archives of the United States.

#### How Is NARA Proposing To Change Access to Privacy-Restricted Federal Records for Statistical Biomedical Research?

NARA currently permits full access to privacy-restricted information in Federal records to persons engaged in statistical or quantitative biomedical research on an approval basis under tightly-controlled conditions specified in the current § 1256.4. No researchers have requested access to any records under these conditions since the regulation went into effect in 1988. We propose to remove this provision for access because we have determined that the procedures may not provide sufficient safeguards against the accidental or intentional release of privacy-restricted information.

Instead, as already provided for in law, NARA will provide access to the releasable portions of records and materials containing such information to entities and individuals in accordance with the provisions of the Freedom of Information Act (5 U.S.C. 552, as amended), Presidential Records Act (44 U.S.C. chapter 22), Presidential Recordings and Materials Preservation Act (44 U.S.C. 2111 *note*), Federal Records Act (44 U.S.C. 2108), applicable executive orders, and Deeds of Gift for donated historical materials.

NARA will continue to provide full access to these records to the agency of origin in accordance with the proposed § 1256.44(b).

This proposed change also removes the information collection required for