

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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

For the reasons discussed above, I certify that the 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. 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 regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 Federal Aviation Administration (FAA) amends § 39.13 by removing amendment 39-14170 (70 FR 36833, June 27, 2005) and adding the following new airworthiness directive (AD):

**Airbus:** Docket No. FAA-2006-26045; Directorate Identifier 2006-NM-145-AD.

### Comments Due Date

- (a) The FAA must receive comments on this AD action by November 13, 2006.

### Affected ADs

- (b) This AD supersedes AD 2005-13-33.

### Applicability

- (c) This AD applies to Airbus A300 aircraft, all certified models and all serial numbers, certificated in any category, except for:

(1) Airbus Model A300 B4-601, B4-603, B4-620, and B4-622 airplanes, A300 B4-605R and B4-622R airplanes, A300 F4-605R and F4-622R airplanes, and A300 C4-605R Variant F airplanes.

(2) Models A300B4-220, A300B4-203, and A300B2-203 in forward facing crew cockpit certified configuration.

### Unsafe Condition

- (d) This AD results from the determination that repetitive operational tests are necessary following incorporation of the wiring modification required by AD 2005-13-33. We are issuing this AD to prevent possible trim loss when the flightcrew tries to override the autopilot pitch control, which could result in uncontrolled flight of the airplane.

### 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.

### Restatement of Requirements of AD 2005-13-33

#### Modification

- (f) Within 20 months after August 1, 2005 (the effective date of AD 2005-13-33), modify the wiring of the autopilot pitch torque limiter switch, by doing all of the applicable actions specified in the Accomplishment Instructions of Airbus Service Bulletin A300-22-0117, dated September 7, 2004; Revision 01, dated April 20, 2005; or Revision 02, dated September 14, 2005. After the effective date of this AD, only Revision 02 may be used.

### New Requirements of This AD

#### Repetitive Operational Tests

- (g) At the applicable time specified in paragraph (g)(1) or (g)(2) of this AD: Do an operational test of the autopilot disconnection upon pitch override, and do all applicable related investigative and corrective actions. Do the actions in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300-22-0118, excluding Appendix 01, dated May 18, 2005; except that this AD does not require a report of the inspection results. Do all applicable related investigative and corrective actions before further flight. Repeat the test thereafter at intervals not to exceed 2,000 flight hours.

(1) For airplanes modified before the effective date of this AD in accordance with Airbus Service Bulletin A300-22-0117, dated September 7, 2004: Do the initial test within 2,000 flight hours after the effective date of this AD.

(2) For airplanes modified in accordance with Airbus Service Bulletin A300-22-0117, Revision 01, dated April 20, 2005; or Revision 02, dated September 14, 2005: Do the initial test within 2,000 flight hours after the modification required by paragraph (f) of this AD, or within 2,000 flight hours after the effective date of this AD, whichever occurs later.

### Alternative Methods of Compliance (AMOCs)

- (h)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(3) AMOCs approved previously in accordance with AD 2005-13-33 are not approved as AMOCs with this AD.

### Related Information

- (i) French airworthiness directive F-2005-107, dated July 6, 2005, also addresses the subject of this AD.

Issued in Renton, Washington, on October 3, 2006.

**Kalene C. Yanamura,**

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

[FR Doc. E6-16880 Filed 10-11-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. FAA-2006-26047; Directorate Identifier 2006-NM-146-AD]

**RIN 2120-AA64**

### Airworthiness Directives; Airbus Model A300 B4-605R Airplanes and Model A310-308, -324, and -325 Airplanes

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus Model A300 B4-605R airplanes and Model A310-308, -324, and -325 airplanes. This proposed AD would require modifying the Bruce floor plan electrical emergency path marking system (FPEPMS) and, for certain airplanes, modifying the automatic switching of the emergency lighting system. This proposed AD results from a report that in the case of vertical separation of the fuselage forward of

door 1, the FPEEPMS and the exit signs do not turn on. We are proposing this AD to prevent inadequate lighting and marking of the escape path, which could delay or impede the flightcrew and passengers when exiting the airplane during an emergency landing.

**DATES:** We must receive comments on this proposed AD by November 13, 2006.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed 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.

- *Fax:* (202) 493-2251.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:** Tom Stafford, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1622; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

#### **Comments Invited**

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "FAA-2006-26047; Directorate identifier 2006-NM-146-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

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 proposed AD.

Using the search function of that 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 Docket**

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

#### **Discussion**

The European Aviation Safety Agency (EASA), which is the airworthiness authority for the European Union, notified us that an unsafe condition may exist on certain Airbus Model A300 B4-605R airplanes and Model A310-308, -324, and -325 airplanes. The EASA advises that a report has shown that in the case of vertical separation of the fuselage forward of door 1, the Bruce floor plan electrical emergency path marking system (FPEEPMS) and the exit signs do not turn on. This condition, if not corrected, could result in inadequate lighting and marking of the escape path, which could delay or impede the flightcrew and passengers when exiting the airplane during an emergency landing.

#### **Relevant Service Information**

Airbus has issued Service Bulletin A300-33-6047, Revision 01, dated January 20, 2006 (for Model A300 B4-605R airplanes); and Service Bulletin A310-33-2045, Revision 01, dated January 20, 2006 (for Model A310-308, -24, and -325 airplanes). The service bulletins describe procedures for modifying the Bruce FPEEPMS. The modification includes the following actions, depending on the configuration of the airplane:

- Modifying equipment and wiring between air bleed panel 436VU and the avionics compartment.
- Modifying terminal block 5700 VT and installing wiring.
- Modifying terminal blocks 4701VT, 4903VT, 5503VT, and 5702VT.

- Removing, installing, and modifying wiring in various locations, such as from the aft power supply unit through the cabin with connection to all other power supply units and the EMERG LIGHT switch 28WL.

Airbus Service Bulletin A310-33-2045, Revision 01, dated January 20, 2006, also specifies prior or concurrent accomplishment of Airbus Service Bulletin A310-33-2025, Revision 01, dated April 17, 2001, for modifying the automatic switching of the emergency lighting system. The modification of the automatic switching involves the following actions:

- Modifying equipment and wiring in the relay box 104VU.
- Modifying equipment and wiring in the relay box 107VU.
- Modifying wiring in the alternating current power center 101VU.
- Modifying equipment and wiring in the avionics compartment, zone 120.
- Modifying wiring between the flight compartment, zone 210, and the avionics compartment, zone 120.
- Doing the actions specified in A310-33-2025 concurrently or prior to the modification of the automatic switching.

Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. The EASA mandated Airbus Service Bulletin A300-33-6047, Revision 01, and Service Bulletin A310-33-2045, Revision 01, and issued airworthiness directive 2006-0077, dated April 3, 2006, to ensure the continued airworthiness of these airplanes in the European Union.

#### **FAA's Determination and Requirements of the Proposed AD**

These airplane models are manufactured in France and are 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. As described in FAA Order 8100.14A, "Interim Procedures for Working with the European Community on Airworthiness Certification and Continued Airworthiness," dated August 12, 2005, the EASA has kept the FAA informed of the situation described above. We have examined the EASA's findings, evaluated all pertinent information, and determined that we need to issue an AD for airplanes of this type design that are certificated for operation in the United States.

Therefore, we are proposing this AD, which would require accomplishing the actions specified in the service information described previously.

### Difference Between the EASA Airworthiness Directive and This Proposed AD

The applicability of EASA airworthiness directive 2006–0077 excludes airplanes on which Airbus Service Bulletin A310–33–2045, Revision 01, or A300–33–6047, Revision 01, have been accomplished in service. However, we have not excluded those airplanes in the applicability of this proposed AD; rather, this proposed AD includes a requirement to accomplish the actions specified in Revision 01 of those service bulletins, as applicable.

This requirement would ensure that the actions specified in the applicable service bulletin and required by this proposed AD are accomplished on all affected airplanes. Operators must continue to operate the airplane in the configuration required by this proposed AD unless an alternative method of compliance is approved.

### Clarification of Concurrent Service Bulletin

EASA airworthiness directive 2006–0077 does not specify doing Airbus Service Bulletin A310–33–2025,

Revision 01, dated April 17, 2001, which is a concurrent service bulletin for Airbus Service Bulletin A310–33–2045, Revision 01, dated January 20, 2006. This proposed AD specifies doing Airbus Service Bulletin A310–33–2025, Revision 01, dated April 17, 2001. We have coordinated with the EASA that this concurrent action is necessary to ensure continued safety.

### Costs of Compliance

The following table provides the estimated costs for U.S. operators to comply with this proposed AD.

ESTIMATED COSTS

| Action                               | Work hours     | Average labor rate per hour | Parts                    | Cost per airplane        | Number of U.S.-registered airplanes | Fleet cost          |
|--------------------------------------|----------------|-----------------------------|--------------------------|--------------------------|-------------------------------------|---------------------|
| Modification of FPEPMS ...           | 44 to 47 ..... | \$80                        | \$2,570 to \$2,690 ..... | \$6,090 to \$6,450 ..... | 1                                   | \$6,090 to \$6,450. |
| Modification of automatic switching. | 14 .....       | 80                          | \$534 to \$727 .....     | \$1,654 to \$1,847 ..... | 1                                   | \$1,654 to \$1,847. |

### 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

For the reasons discussed above, I certify that the 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. 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 regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**Airbus:** Docket No. FAA–2006–26047; Directorate Identifier 2006–NM–146–AD.

### Comments Due Date

(a) The FAA must receive comments on this AD action by November 13, 2006.

### Affected ADs

(b) None.

### Applicability

(c) This AD applies to Airbus Model A300 B4–605R airplanes and Model A310–308, –324, and –325 airplanes, certificated in any category; on which Airbus Modification 06810 or 06934 (Bruce floor proximity emergency escape path marking system (FPEPMS)) has been installed in production; or on which Airbus Service Bulletin A300–33–6047 or A310–33–2045, both dated March 5, 2004, has been done.

### Unsafe Condition

(d) This AD results from a report that in the case of vertical separation of the fuselage forward of door 1, the FPEPMS and the exit signs do not turn on. We are issuing this AD to prevent inadequate lighting and marking of the escape path, which could delay or impede the flightcrew and passengers when exiting the airplane during an emergency landing.

### 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.

### Modification

(f) Within 16 months after the effective date of this AD, modify the Bruce FPEPMS in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300–33–6047, Revision 01, dated January 20, 2006 (for Model A300 B4–605R airplanes); or Airbus Service Bulletin A310–33–2045, Revision 01, dated January 20, 2006 (for

Model A310–308, –324, and –325 airplanes); as applicable.

(g) For Model A310–308, –324, and –325 airplanes: Prior to or concurrently with the modification required in paragraph (f) of this AD, modify the automatic switching of the emergency lighting system in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310–33–2025, Revision 01, dated April 17, 2001.

#### **Modifications Accomplished According to Previous Issue of Service Bulletin**

(h) Modifications accomplished before the effective date of this AD in accordance with Airbus Service Bulletin A310–33–2025, dated March 1, 1993, are considered acceptable for compliance with the corresponding action specified in paragraph (g) of this AD.

#### **Alternative Methods of Compliance (AMOCs)**

(i)(1) The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### **Related Information**

(j) European Aviation Safety Agency (EASA) airworthiness directive 2006–0077, dated April 3, 2006, also addresses the subject of this AD.

Issued in Renton, Washington, on October 3, 2006.

**Kalene C. Yanamura,**

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

[FR Doc. E6–16882 Filed 10–11–06; 8:45 am]

**BILLING CODE 4910–13–P**

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

#### **32 CFR Part 143**

[DOD–2006–OS–0057]

**RIN 0790–AH99**

#### **DoD Policy on Organizations That Seek To Represent or Organize Members of the Armed Forces in Negotiation or Collective Bargaining**

**AGENCY:** Department of Defense.

**ACTION:** Proposed rule.

**SUMMARY:** This part contains uniform Department of Defense policies for organizations that seek to represent or organize members of the Armed Forces in negotiation or collective bargaining. This updated rule contains editorial changes only as required for internal

Department of Defense mandated reconsideration every 5 years.

**DATES:** Comments must be received by December 11, 2006.

**ADDRESSES:** You may submit comments, identified by docket number and or RIN number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301–1160.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://regulations.gov> as they are received without change, including any personal identifiers or contact information.

#### **FOR FURTHER INFORMATION CONTACT:**

Lieutenant Colonel Mark Gingras, Office of the Deputy Under Secretary of Defense for Program Integration, 4000 Defense Pentagon, Washington, DC 20301–4000.

#### **SUPPLEMENTARY INFORMATION:**

#### **Executive Order 12866, “Regulatory Planning and Review”**

It has been determined that 32 CFR part 143 is not a significant regulatory action. The rule does not:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a section of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive Order.

#### **Unfunded Mandates Reform Act (Section 202, Pub. L. 104–4)**

It has been certified that this rule does not contain a Federal mandate that may result in the expenditure by State, local and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year.

#### **Public Law 96–354, “Regulatory Flexibility Act” (5 U.S.C. 601)**

It has been certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities. By its terms, this rule applies to state and local governments. It has no impact on “small entities”.

#### **Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)”**

It has been certified that this rule does impose reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995. The reporting and recordkeeping requirements have been submitted to OMB for review.

#### **Executive Order 13132, “Federalism”**

It has been certified that this rule does not have federalism implications, as set forth in Executive Order 13132. This rule does not have substantial direct effects on:

- (1) The States;
- (2) The relationship between the National Government and the States; or
- (3) The distribution of power and responsibilities among the various levels of Government.

#### **List of Subjects in 32 CFR Part 143**

Government employees, Labor management relations, Military personnel.

Accordingly 32 CFR part 143 is proposed to be revised to read as follows:

#### **PART 143—DOD POLICY ON ORGANIZATIONS THAT SEEK TO REPRESENT OR ORGANIZE MEMBERS OF THE ARMED FORCES IN NEGOTIATION OR COLLECTIVE BARGAINING**

Sec.

- 143.1 Purpose.
- 143.2 Applicability.
- 143.3 Definitions.
- 143.4 Policy.
- 143.5 Prohibited activity.
- 143.6 Activity not covered by this part.
- 143.7 Responsibilities.
- 143.8 Guidelines.

**Authority:** 10 U.S.C 801–940; and 10 U.S.C. 976.

#### **§ 143.1 Purpose.**

This part provides DoD policies and procedures for organizations whose objective is to organize or represent members of the Armed Forces of the United States for purposes of negotiating or bargaining about terms or conditions of military service. The policies and procedures set forth herein