

List of Subjects in 7 CFR Part 1434

Honey, Loan programs-agriculture, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, 7 CFR part 1434 is amended as follows:

PART 1434—NONRECOURSE MARKETING ASSISTANCE LOAN AND LOAN DEFICIENCY PAYMENTS FOR HONEY

■ Accordingly, the interim rule amending 7 CFR part 1434 which was published at 69 FR 52167, on August 25, 2004, is adopted as a final rule without change.

Signed in Washington, DC, on January 11, 2005.

James R. Little,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 05-1050 Filed 1-19-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM300; Special Conditions No. 25-284-SC]

Special Conditions: Shadin Company, Inc., Cessna Aircraft Company Model 501 and 551 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 Cessna Aircraft Company Model 501 and 551 series airplanes modified by Shadin Company, Inc. These airplanes will have novel and unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The modification incorporates the installation of two Shadin Company Air Data Computers (ADC), Model ADC-6000. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the 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 of these special conditions is January 12, 2005. Comments must be received on or before February 22, 2005.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM-113), Docket No. NM300, 1601 Lind Avenue SW., Renton, Washington 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. Comments must be marked: Docket No. NM300.

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 98055-4056; telephone (425) 227-2799; facsimile (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that notice and opportunity for prior public comment is impracticable because these procedures would significantly delay certification of the airplanes and thus 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. The FAA therefore finds that good cause exists for making these special conditions effective upon issuance; however, we invite interested persons to participate in this rulemaking by submitting written comments, data, or views. 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 concerning these special conditions. The docket is available for public inspection 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 on or before 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 in light of the comments received.

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 March 3, 2004, Shadin Company, Inc., 6831 Oxford Street, St. Louis Park, MN, 55426-4412, applied for a supplemental type certificate (STC) to modify Cessna Aircraft Company Model 501 and 551 series airplanes. These models are currently approved under Type Certificate No. A27CE. These Cessna airplane models are small transport category airplanes. The Cessna Model 501 is powered by two Pratt & Whitney Aircraft of Canada, Ltd., JT15D-1A or JT15D-1B turbopfans; and the Cessna Model 551 is powered by two Pratt & Whitney Aircraft of Canada, Ltd., JT15D-4 turbopfans. The Cessna Model 501 has a maximum takeoff weight of 11,850 pounds and the Cessna Model 551 has a maximum takeoff weight of 12,500 pounds. The Cessna Model 501 operates with one to two-pilot crews and holds up to 9 passengers and the Cessna Model 551 operates with one to two-pilot crews and holds up to 11 passengers. The modification incorporates the installation of two Shadin ADC 6000 Reduced Vertical Separation Minimum (RVSM) capable systems, which will allow for the removal of the existing encoding altimeters, air data computer, and pneumatic altimeter. This system uses two ADC-6000s and interfaces to existing BA-141 altimeters. These ADCs can be susceptible to disruption to both command and response signals as a result of electrical and magnetic interference. This disruption of signals could result in the loss of all critical flight information displays and annunciators or the presentation of misleading information to the pilot. The avionics/electronics and electrical systems installed in these airplanes have the potential to be vulnerable to high-intensity radiated fields (HIRF) external to the airplanes.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Shadin Company, Inc. must show that the Cessna Aircraft Company Model 501 and 551 series airplanes, as changed, continue to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A27CE, 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 certification basis for the Cessna Model 501 series airplanes includes part 23 of 14 CFR effective February 1, 1965, as amended by amendments 23-1 through 23-16 except as follows: Delete §§ 23.45 through 23.77, 23.831, 23.1091(c)(2), 23.1303, 23.1323, 23.1441 through 23.1449, 23.1581 through 23.1583(f), and 23.1583(h) through 23.1587; and add § 23.1385 as amended through amendment 23-20; and add part 25 of 14 CFR effective February 1, 1965, as amended by amendments 25-1 through 25-17; §§ 25.1195, 25.1199 and 25.1203 as amended by amendments 25-1 through 25-37; §§ 25.101 through 25.125, 25.831, 25.934, 25.1091(d)(2), 25.1197, 25.1201, 25.1303, 25.1305(a)(7), 25.1323, 25.1439 through 25.1453, 25.1581 through 25.1583(c)(3), and §§ 25.1583(e) through 25.1587.

The certification basis for the Cessna Model 551 series airplanes includes part 23 of 14 CFR effective February 1, 1965, as amended by amendments 23-1 through 23-16 except as follows: Delete §§ 23.21 through 23.31, 23.45 through 23.77, 23.157, 23.171 through 23.177, 23.251, 23.345, 23.351, 23.361, 23.471 through 23.511, 23.571, 23.572, 23.629, 23.679, 23.723 through 23.737, 23.773, 23.775, 23.777, 23.783, 23.807, 23.831, 23.903(c), 23.1091(c)(2), 23.1301, 23.1303, 23.1307, 23.1309, 23.1321, 23.1323, 23.1325, 23.1385(c), 23.1435, 23.1441 through 23.1449, 23.1581 through 23.1583(f), 23.1583(i) through 23.1587; and add §§ 23.1143(e) and 23.1385(c) as amended through amendment 23-18 and 23.1301 and 23.1335 as amended through amendment 23-20; and add from part 25 of 14 CFR effective February 1, 1965, as amended by amendments 25-1 through 25-17, §§ 25.812, 25.863, 25.1195, 25.1199, 25.1203, 25.1309, and 25.1435; as amended by amendment 25-1 through 25-37, §§ 25.21 through 25.31, 25.101 through 25.125, 25.147(c)(e), 25.171 through 25.177, 25.251, 25.305(c), 25.345, 25.351, 25.361, 25.471 through 25.511, 25.571, 25.573, 25.629, 25.679, 25.721 through 25.737, 25.773, 25.775, 25.777, 25.783, 25.807, 25.831, 25.851, 25.903(b)(d), 25.934, 25.1091(d)(2), 25.1189(g)(h), 25.1197, 25.1201, 25.1303, 25.1305(a)(7), 25.1305(c)(4), 25.1307, 25.1321, 25.1323, 25.1325, 25.1439 through 25.1453, 25.1581 through 25.1583(c)(3), 25.1583(f) through 25.1587, and §§ 25.901(c), 25.903(e)(3), and 25.1351(d) as amended through amendment 25-41.

In addition, the 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 (*i.e.*, part 25, as amended) do not contain adequate or appropriate safety standards for modified Cessna Aircraft Company Model 501 and 551 series 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 Cessna Model 501 and 551 series 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.

Special conditions, as defined in 14 CFR 11.19, are issued in accordance with § 11.38, and become part of the type certification basis in accordance with § 21.101.

Special conditions are initially applicable to the model for which they are issued. Should Shadin Company, Inc. apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A27CE to incorporate the same 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 Cessna Aircraft Company Model 501 and 551 series airplanes modified by Shadin Company, Inc. will incorporate a new altitude display system that will perform critical functions. These systems may be vulnerable to high-intensity radiated fields external to the airplane. The current airworthiness standards of part 25 do not contain adequate or appropriate safety standards for the protection of this equipment from the adverse effects of HIRF. Accordingly, this system is considered to be a novel or unusual design feature.

Discussion

There is no specific regulation that addresses protection requirements for electronic and electrical systems from HIRF. Increased power levels from ground-based radio 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 Cessna Model 501 and 551 series airplanes modified by Shadin Company, Inc. 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 due to both the direct and indirect effects 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 communications, 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 analysis of existing HIRF emitters, an adequate level of protection exists when compliance is shown with either HIRF protection special condition paragraph 1 or 2 below:

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

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

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

2. A threat external to the airframe of the field strengths identified in the table below for the frequency ranges indicated. Both peak and average field strength components from the table are to be demonstrated.

Frequency	Field/strength (volts per meter)	
	Peak	Average
10 kHz–100 kHz ...	50	50
100kHz–500 kHz ..	50	50
500 kHz–2 MHz	50	50
2 MHz–30 MHz	100	100
30 MHz–70 MHz ...	50	50
70 MHz–100MHz ..	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–2GHz	2000	200
2 GHz–4 GHz	3000	200
4 GHz–6 GHz	3000	200
6 GHz–8 GHz	1000	200

Frequency	Field/strength (volts per meter)	
	Peak	Average
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 threat levels identified above are the result of an FAA review of existing studies on the subject of HIRF, in light of the ongoing work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee.

Applicability

As discussed above, these special conditions are applicable to the Cessna Aircraft Company Model 501 and 551 series airplanes. Should Shadin Company, Inc. apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A27CEU to incorporate the same or similar novel or unusual design feature, these special conditions would apply to that model as well under the provisions of § 21.101.

Conclusion

This action affects only certain novel or unusual design features on the Cessna Model 501 and 551 series airplanes modified by Shadin Company, Inc. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these 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 upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

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 Cessna Aircraft Company Model 501 and 551 series airplanes modified by Shadin Company, Inc.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF)*. Each electronic and electrical 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 the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on January 12, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–1156 Filed 1–19–05; 8:45 am]

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DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 285

RIN 1510-AA65

Centralized Offset of Federal Payments To Collect Nontax Debts Owed to the United States

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Final rule.

SUMMARY: This final rule describes the general rules and procedures applicable to the collection, through the Treasury Offset Program (TOP), of delinquent, nontax debts owed to Federal agencies. TOP is a program administered by the Financial Management Service (FMS), a bureau of the Treasury Department.

DATES: This rule is effective January 21, 2005.

FOR FURTHER INFORMATION CONTACT: Gerry Isenberg, Financial Program Specialist, at (202) 874–6660; Tricia

Long, Attorney-Advisor, at (202) 874–6680. A copy of this final rule is being made available for downloading from the Financial Management Service Web site at the following address: <http://www.fms.treas.gov/debt>.

SUPPLEMENTARY INFORMATION:

Background

On December 26, 2002, FMS published an interim rule with request for comments (“Interim Rule”) describing the general rules and procedures applicable to the collection of delinquent, nontax debts owed to Federal agencies by the centralized offset of Federal payments. See 67 FR 78936.

FMS established TOP in order to implement provisions of various Federal laws affecting offset, including the Debt Collection Improvement Act of 1996 (Pub. L. 104–134, 110 Stat. 1321–358 (April 26, 1996)) (“DCIA”), which directed Treasury to provide a centralized process for withholding or reducing eligible Federal payments to pay the payee’s delinquent debt owed to the United States. See 31 U.S.C. 3716(c) and 3720A.

Discussion of Comments

General

FMS received comments from a Federal agency and a State comptroller’s office in response to the publishing of the Interim Rule. In response to the comments, FMS has made the revisions reflected in this final rule. In addition, FMS has corrected the citation to Executive Order 13019 in the list of authorities for 31 CFR Part 285 and has made minor editorial changes for purposes of consistency.

Comment Analysis

Interim Rule § 285.5(a) Scope

One commenter noted that the rule does not address how TOP processes offsets to collect debts for which two or more debtors are jointly and severally liable. FMS has not made any changes in response to this comment. TOP has been developed to comply with existing laws regarding the liability of debtors who are jointly and severally liable for debts, and therefore, no change to the rule is required.

One commenter asked for clarification as to whether past-due support debts and other debts owed to a State are covered by the rule. The commenter noted that paragraph (f)(3) of this section sets forth the priority of collection when multiple debts (including support and other debts owed to States) match with the same payment. This final rule applies only to