

Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note), the Board has set forth in paragraph (b) of this section adjusted maximum penalty amounts for each civil money penalty provided by law within its jurisdiction. The adjusted civil penalty amounts provided in paragraph (b) of this section replace only the amounts published in the statutes authorizing the assessment of penalties. The authorizing statutes contain the complete provisions under which the Board may seek a civil money penalty. The increased penalty amounts apply only to violations occurring after October 24, 1996.

(b) *Maximum civil money penalties.* The maximum civil money penalties as set forth in the referenced statutory sections are adjusted as follows:

- (1) 12 U.S.C. 324:
 - (i) Inadvertently late or misleading reports, *inter alia*—\$2,000.
 - (ii) Other late or misleading reports, *inter alia*—\$22,000.
 - (iii) Knowingly or recklessly false or misleading reports, *inter alia*—\$1,100,000.
- (2) 12 U.S.C. 504, 505, 1817(j)(16), 1818(i)(2) and 1972(F):
 - (i) First tier—\$5,500.
 - (ii) Second tier—\$27,500.
 - (iii) Third tier—\$1,100,000.
- (3) 12 U.S.C. 1832(c)—\$1,100.
- (4) 12 U.S.C. 1847(b)—\$27,500.
- (5) 12 U.S.C. 1847(d):
 - (i) First tier—\$2,000.
 - (ii) Second tier—\$22,000.
 - (iii) Third tier—\$1,100,000.
- (6) 12 U.S.C. 1884—\$110.
- (7) 12 U.S.C. 3909(d)—\$1,100.
- (8) 15 U.S.C. 78u-2:
 - (i) 15 U.S.C. 78u-2(b)(1)—\$5,500 for a natural person and \$55,000 for any other person.
 - (ii) 15 U.S.C. 78u-2(b)(2)—\$55,000 for a natural person and \$275,000 for any other person.
 - (iii) 15 U.S.C. 78u-2(b)(3)—\$110,000 for a natural person and \$550,000 for any other person.
- (9) 42 U.S.C. 4012a(f)(5):
 - (i) For each violation—\$350.
 - (ii) For the total amount of penalties assessed under 42 U.S.C. 4012a(f)(5) against an institution or enterprise during any calendar year—\$105,000.

By order of the Board of Governors of the Federal Reserve System, October 28, 1996.
William W. Wiles,
Secretary of the Board.

[FR Doc. 96-28017 Filed 10-31-96; 8:45 am]

BILLING CODE 6210-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM-128; Special Conditions No. 25-ANM-121]

Special Conditions: deHavilland DHC-8-400 Airplane; High-Intensity Radiated Fields

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued to the de Havilland Aircraft Company of Canada for the de Havilland DHC-8-400 airplane. This airplane will utilize new avionics/electronic systems that provide critical data to the flightcrew. The applicable regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated fields. 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.

EFFECTIVE DATE: December 2, 1996.

FOR FURTHER INFORMATION CONTACT: Tim Backman, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98055-4056, telephone (206) 227-2797 or facsimile (206) 227-1149.

SUPPLEMENTARY INFORMATION:

Background

On January 31, 1995, the de Havilland Aircraft Company of Canada, Garratt Boulevard, Downsview, Ontario M3K1Y5, applied for an amendment to their Type Certificate No. A13NM to include their new model Dash 8 Series 400 (DHC-8-400), Model 401/402 airplane, which is a derivative of the DHC-8-300. The DHC-8-400 is a high wing, T-tail, twin engine, turbopropeller powered regional transport. Each engine will be capable of delivering 4830 shaft horsepower. The flight controls are manual, except for the tandem rudder which will be hydraulically powered. The airplane has a seating capacity of up to 78, and a maximum takeoff weight of 62,500 pounds.

Type Certification Basis

Under the provisions of 14 CFR § 21.101, deHavilland must show that the DHC-8-400 meets the applicable provisions of the regulations

incorporated by reference in Type Certificate No. A13NM, or the applicable regulations in effect on the date of application for the change of the Model 300. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations incorporated by reference in Type Certificate No. A13NM include part 25, as amended by Amendments 25-1 through 25-51, and certain other later amended sections of part 25 that are not relevant to these special conditions. In addition, deHavilland has chosen to comply with the applicable regulations in effect on March 6, 1995; specifically part 25 as amended by Amendments 25-1 through 25-83. In addition to the applicable airworthiness regulations and special conditions, the DHC-8-400 must comply with the fuel vent and exhaust emission requirements of part 34, effective September 10, 1990, plus any amendments in effect at the time of certification; and the noise certification requirements of part 36, effective December 1, 1969, as amended by Amendment 36-1 through the amendment in effect at the time of certification. No exemptions are anticipated. These special conditions will form an additional part of the type certification basis.

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 DHC-8-400 because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

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, or should any other model already included on the same type certificate be modified to incorporate 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 DHC-8-400 airplane avionics enhancement will utilize electronic systems that perform critical functions,

including a digital Electronic Flight Instrument System (EFIS), attitude and heading reference systems (AHRS), and air data systems (ADS). These systems may be vulnerable to high-intensity radiated fields (HIRF) external to the airplane.

Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground based radio transmitters, and the growing use of sensitive electrical and electronic 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 DHC-8-400, which require that new technology electrical and electronic systems, such as the EFIS, AHRS and ADS, 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

With the trend toward increased power levels from ground based transmitters, plus the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics 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, and adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1 or 2 below:

1. A minimum threat of 100 volts per meter peak 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 following field strengths for the frequency ranges indicated.

Frequency	Peak (V/M)	Average (V/M)
10 KHz–100 KHz	50	50
110 KHz–500 KHz	60	60
500 KHz–2000 KHz	70	70
2 MHz–30 MHz	200	200
30 MHz–100 MHz	30	30
100 MHz–200 MHz ...	150	33
200 MHz–400 MHz ...	70	70
400 MHz–700 MHz ...	4,020	935
700 MHz–1000 MHz	1,700	170
1 GHz–2 GHz	5,000	990
2 GHz–4 GHz	6,680	840
4 GHz–6 GHz	6,850	310
6 GHz–8 GHz	3,600	670
8 GHz–12 GHz	3,500	1,270
12 GHz–18 GHz	3,500	360
18 GHz–40 GHz	2,100	750

As discussed above, these special conditions are applicable initially to the DHC-8-400 airplane. Should de Havilland 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).

Discussion of Comments

Notice of proposed special conditions No. SC-96-3-NM was published in the Federal Register on July 22, 1996 (61 FR 37844). No comments were received.

Conclusion

This action affects certain design features only on the DHC-8-400 airplane. It is not a rule of general applicability and 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

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 type certification basis for the deHavilland DHC-8-400 series airplanes.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic 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 this special condition, 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 October 15, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane

Directorate, Aircraft Certification Service, ANM-100.

[FR Doc. 96-28107 Filed 10-31-96; 8:45 am]

BILLING CODE 4910-13-M

Office of the Secretary

14 CFR Part 382

49 CFR Part 27

[Docket 46872 and 45657—Amendment #6]

RIN 2105-AB62

Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting From Federal Financial Assistance; Nondiscrimination on the Basis of Handicap in Air Travel

AGENCY: Office of the Secretary, Transportation.

ACTION: Final rule.

SUMMARY: The Department is amending its rules implementing section 504 of the Rehabilitation Act of 1973 and the Air Carrier Access Act of 1986 concerning the provision of equipment to facilitate the boarding by individuals with disabilities on small commuter aircraft. The rule requires air carriers and airports to work jointly to make lifts or other boarding devices available. The rule also harmonizes requirements relating to airport facilities in the Department's section 504 and Air Carrier Access Act regulations and clarifies provisions concerning communicable diseases.

EFFECTIVE DATE: This rule is effective December 2, 1996.

FOR FURTHER INFORMATION CONTACT: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street, S.W., Room 10424, Washington, D.C., 20590. (202) 366-9306 (voice); (202) 755-7687 (TDD); or Nancy Ebersole, Office of the Assistant Secretary for Transportation Policy, same street address, Room 9217, (202) 366-4864.