

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 final evaluation has been prepared for this action and it is contained in the rules docket. A copy of it may be obtained from the rules docket at the location provided under the caption ADDRESSES.

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

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

#### Adoption of the Amendment

Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

97-16-08 **Fokker:** Amendment 39-10100.  
Docket 97-NM-149-AD.

**Applicability:** Model F28 Mark 0100 series airplanes, serial numbers 11244 through 11474 inclusive, equipped with small cargo doors having hinge assemblies having part numbers A28410-405, A28410-407, and/or D28410-409; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

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

To detect and correct fatigue cracking of the hinges, which could result in rapid decompression of the airplane and separation of the cargo doors during flight; accomplish the following:

(a) Prior to the accumulation of 8,000 total flight cycles, or within 5 months after the effective date of this AD, whichever occurs later: Perform a one-time inspection to detect fatigue cracking of the hinges of the forward,

center, and aft cargo doors, in accordance with Fokker Service Bulletin SBF100-52-061, dated September 28, 1996. Prior to further flight, repair any cracking detected, in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(b) Within 10 days after accomplishing the inspection required by paragraph (a) of this AD, submit a report of the inspection results to Fokker Services, Attn: Manager, Service Engineering—Jet, P. O. Box 75047, 1117 ZN Schiphol-Oost, The Netherlands. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The actions shall be done in accordance with Fokker Service Bulletin SBF100-52-061, dated September 28, 1996. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on August 19, 1997.

Issued in Renton, Washington, on July 29, 1997.

**Darrell M. Pederson,**

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

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 232

[Release Nos. 33-7432; 34-38883; 35-26747; 39-2356; IC-22769]

RIN 3235-AG96

### Adoption of Updated EDGAR Filer Manual

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rules.

**SUMMARY:** The Commission is adopting an updated edition of the EDGAR Filer Manual and is providing for its incorporation by reference into the Code of Federal Regulations.

**DATES:** The amendment to 17 CFR part 232 (Regulation S-T) will be effective on August 25, 1997. The new edition of the EDGAR Filer Manual (Release 5.30) will be effective on August 25, 1997. The incorporation by reference of the EDGAR Filer Manual is approved by the Director of the **Federal Register** as of August 25, 1997.

**FOR FURTHER INFORMATION CONTACT:** In the Office of Information Technology, David T. Copenhafer at (202) 942-8800; for questions concerning investment company filings, Ruth Armfield Sanders, Senior Counsel, Division of Investment Management, at (202) 942-0633; and for questions concerning Corporation Finance company filings, Margaret R. Black at (202) 942-2933.

**SUPPLEMENTARY INFORMATION:** The Commission today announces the adoption of an updated EDGAR Filer Manual ("Filer Manual"), which sets forth the technical formatting requirements governing the preparation and submission of electronic filings through the Electronic Data Gathering, Analysis, and Retrieval ("EDGAR") system.<sup>1</sup> Compliance with the provisions of the Filer Manual is required in order to assure the timely acceptance and processing of filings made in electronic format.<sup>2</sup> Filers should consult the Filer Manual in conjunction with the Commission's rules governing mandated electronic

<sup>1</sup> The Filer Manual originally was adopted on April 1, 1993, and became effective on April 26, 1993. Release No. 33-6986 (Apr. 1, 1993) (58 FR 18638). The most recent update to the Filer Manual was implemented on April 14, 1997. See Release Nos. 33-7394 (Feb. 21, 1997) (62 FR 8877), 33-7405 (Mar. 19, 1997) (62 FR 13820), and 33-7411 (Apr. 2, 1997) (62 FR 16690).

<sup>2</sup> See Rule 301 of Regulation S-T (17 CFR 232.301).

filing when preparing documents for electronic submission.<sup>3</sup>

In this update, several submission types have been added. First, EDGAR submission types 13F-HR, 13F-HR/A, 13F-NT, and 13F-NT/A have been added. These submission types will accommodate the electronic submission of reports on Form 13F<sup>4</sup> in the event that the Commission amends its rules to require mandatory electronic filing of Form 13F.<sup>5</sup>

Also added are EDGAR submission types U-9C-3 and U-9C-3/A. These submission types are to be used by public utility holding companies for the submission of Form U-9C-3, Report Pursuant to Rule 58.<sup>6</sup>

Finally, a new submission has been added to accommodate electronic submissions of certain filings by companies whose filings are within the purview of the Division of Corporation Finance. Submission type POS EX has been added to reflect the Commission's recent adoption of Rule 462(d) under the Securities Act of 1933. This rule will permit automatic effectiveness of a post-effective amendment filed solely to add an exhibit.

The following submission types have been eliminated from EDGAR: 10-C, 10-C/A, 486A24E, 486A24F, 486B24E, 48624F, 8-B12B, 8-B12B/A, 8-B12G, 8-B12G/A, 8A12BEF, 8A12BT, and 8A12BT/A.

Rule 301 of Regulation S-T also is being amended to provide for the incorporation by reference of the Filer Manual into the Code of Federal Regulations, which incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The revised Filer Manual and the amendment to Rule 301 will be effective on August 25, 1997.

Paper copies of the updated Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1-2, 450 Fifth

Street, NW., Washington DC 20549. Electronic format copies will be available on the EDGAR electronic bulletin board. Copies also may be obtained from Disclosure Incorporated, the paper and microfiche contractor for the Commission, at (800) 638-8241.

Since the Filer Manual relates solely to agency procedure or practice, publication for notice and comment is not required under the Administrative Procedure Act.<sup>7</sup> It follows that the requirements of the Regulatory Flexibility Act<sup>8</sup> do not apply.

The effective date for the updated Filer Manual and the rule amendment is on August 25, 1997. In accordance with the Administrative Procedure Act 5 U.S.C. 553(d)(3), the Commission finds that there is good cause to establish an effective date less than 30 days after publication of these rules. The EDGAR system is scheduled to be upgraded to Release 5.30 on August 23, 1997. The Commission believes that it is necessary to coordinate the effectiveness of the updated Filer Manual with the scheduled system upgrade in order to avoid confusion to EDGAR filers.

#### Statutory Basis

The amendment to Regulation S-T is being adopted under sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,<sup>9</sup> sections 3, 12, 13, 14, 15, 23, and 35A of the Securities Exchange Act of 1934,<sup>10</sup> section 20 of the Public Utility Holding Company Act of 1935,<sup>11</sup> section 319 of the Trust Indenture Act of 1939,<sup>12</sup> and sections 8, 30, 31, and 38 of the Investment Company Act.<sup>13</sup>

#### List of Subjects in 17 CFR Part 232

Incorporation by reference; Investment companies; Registration requirements; Reporting and recordkeeping requirements; Securities.

#### Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

#### PART 232—REGULATION S-T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

1. The authority citation for part 232 continues to read as follows:

**Authority:** 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77sss(a), 78c(b), 78l, 78m, 78n, 78o(d),

<sup>7</sup> 5 U.S.C. 601-612.

<sup>8</sup> 5 U.S.C. 553(b).

<sup>9</sup> 15 U.S.C. 77f, 77g, 77h, 77j and 77s(a).

<sup>10</sup> 15 U.S.C. 78c, 78l, 78m, 78n, 78o, 78w and 78ll.

<sup>11</sup> 15 U.S.C. 79t.

<sup>12</sup> 15 U.S.C. 77sss.

<sup>13</sup> 15 U.S.C. 80a-8, 80a-29, 80a-30 and 80a-37.

78w(a), 78ll(d), 79t(a), 80a-8, 80a-29, 80a-30 and 80a-37.

2. Section 232.301 is revised to read as follows:

#### § 232.301 EDGAR Filer Manual.

Electronic filings shall be prepared in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets out the technical formatting requirements for electronic submissions. The August 1997 edition of the *EDGAR Filer Manual: Guide for Electronic Filing with the U.S. Securities and Exchange Commission (Release 5.30)* is incorporated into the Code of Federal Regulations by reference, which action was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Compliance with the requirements found therein is essential to the timely receipt and acceptance of documents filed with or otherwise submitted to the Commission in electronic format. Paper copies of the EDGAR Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1-2, 450 5th Street, NW., Washington, DC 20549. They also may be obtained from Disclosure Incorporated by calling (800) 638-8241. Electronic format copies are available through the EDGAR electronic bulletin board. Information on becoming an EDGAR E-mail/electronic bulletin board subscriber is available by contacting CompuServe Inc. at (800) 576-4247.

By the Commission.

Dated: July 29, 1997.

**Margaret H. McFarland,**

*Deputy Secretary.*

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#### DEPARTMENT OF THE INTERIOR

#### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 925

[SPATS No. MO-032-FOR]

#### Missouri Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** OSM is approving amendment to the Missouri regulatory program (hereinafter referred to as the "Missouri program") under the Surface

<sup>3</sup> See Release Nos. 33-6977 (Feb. 23, 1993) (58 FR 14628), IC-19284 (Feb. 23, 1993) (58 FR 14848), 35-25746 (Feb. 23, 1993) (58 FR 14999), and 33-6980 (Feb. 23, 1993) (58 FR 15009) for a comprehensive treatment of the rules adopted by the Commission governing mandated electronic filing. See also Release No. 33-7122 (Dec. 19, 1994) (59 FR 67752), in which the Commission made the EDGAR rules final and applicable to all domestic registrants, and Release No. 33-7427 (July 1, 1997) (62 FR 36450), adopting the most recent minor amendments to the EDGAR rules.

<sup>4</sup> 17 CFR 249.325.

<sup>5</sup> See Release No. 34-38800 (July 1, 1997) (62 FR 36467), in which the Commission proposed to require electronic filing of Form 13F via the EDGAR system.

<sup>6</sup> 17 CFR 259.208. See Release No. 35-26667 (Feb. 14, 1997) (62 FR 7900). ab