

with a legal proceeding, the requester is responsible for:

(1) Promptly notifying all other parties to the legal proceeding of the disclosure, and, after entry of a protective order, providing copies of the documents to the other parties that are signatories and subject to the protective order;

(2) At the conclusion of the legal proceeding, retrieving the documents from the court or other body's file as soon as they are no longer required and certifying to the Finance Board that every party covered by the protective order has destroyed the unpublished information.

(d) *Certification or authentication.* If the Finance Board has authorized disclosure of unpublished information by document, it will provide certified or authenticated copies of the document upon request.

\$905.9 Fees.

(a) *Fees for records search, copying, and certification.* Unless waived or reduced, a requester must pay a fee to the Finance Board for the costs of searching, copying, authenticating, or certifying unpublished information in accordance with 12 CFR 904.9. The Office of Resource Management generally will bill a requester upon completion of the production, but, in certain instances, may require a requester to remit payment prior to providing the requested information. To pay fees assessed under this section, a requester must deliver to the Office of Resource Management, located at the Federal Housing Finance Board, 1777 F Street, N.W., Washington, D.C. 20006, a check or money order made payable to the "Federal Housing Finance Board."

(b) *Witness fees and mileage.* (1) *Current Finance Board or federal employees.* If the Finance Board authorizes disclosure of unpublished information by testimony of a current Finance Board employee or agent or a former Finance Board employee or agent who is still in the employ of the United States, upon completion of the testimonial appearance the requester must remit promptly to the Office of Resource Management payment for witness fees and mileage computed in accordance with 28 U.S.C. 1821.

(2) *Former employees or agents.* If the Finance Board authorizes disclosure of unpublished information by testimony of a former Finance Board employee or agent who is not currently employed by the United States, upon completion of the testimonial appearance the requester must remit promptly to the witness any witness fees or mileage due in accordance with 28 U.S.C. 1821.

Dated: August 6, 1999.

By the Board of Directors of the Federal Housing Finance Board.

Bruce A. Morrison,

Chairperson.

[FR Doc. 99-21060 Filed 8-12-99; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

Liquidation of Collateral And Sale of Commercial Loans

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: With this rule, SBA amends its regulation regarding the liquidation and sale of loans. As part of a government-wide initiative, federal credit agencies are being directed by the Office of Management and Budget (OMB) to sell their loan portfolios. Initially, SBA intends to sell its portfolio of direct and purchased loans made under the authorities of the 7(a) and 501, 502, 503, and 504 programs. This will include both secured and unsecured loans in performing and non-performing status. The loans will be sold to qualified bidders by means of competitive procedures at publicly advertised sales. Bidder qualifications will be set for each sale in accordance with the terms and conditions of each sale. SBA also intends to sell its disaster home loans and disaster business loans, but will publish separate regulations regarding these sales.

DATES: This rule is effective August 13, 1999.

FOR FURTHER INFORMATION CONTACT: Richard Blewett, 202-205-4202.

SUPPLEMENTARY INFORMATION: SBA promulgates, without change, a rule which it proposed on June 29, 1999 (64 FR 34745). SBA received no comments to the proposed rule.

13 CFR 120.540 sets forth SBA's policy for the liquidation of collateral and the sale of commercial loans. SBA amends and expands this rule to include the sale of direct and purchased loans in asset sales. Pub. L. 104-134, the "Debt Collection Improvement Act of 1996," enacted on April 26, 1996, provides that, "the head of an executive * * * agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 and using competitive procedures, any non-tax debt owed to the United States that is delinquent for more than 90 days." 31 U.S.C. 3711(i)(1).

The Small Business Act, 15 U.S.C. 634(b)(2), provides in pertinent part that

"(The Administrator) may sell at public or private sale * * * in (her) discretion any evidence of debt * * * personal property, or security * * *" It further provides, in 15 U.S.C. 634(b)(7) that the Administrator may "take any and all actions * * * when [she] determines such actions are necessary or desirable in * * * liquidating or otherwise dealing with or realizing on loans * * *."

Pursuant to this statutory authority, SBA is establishing an Asset Sales Program to sell portions of its direct and participation loan portfolios. Under the new regulation, SBA may sell its direct and participation loans in bulk through competitive procedures at publicly advertised sales.

Compliance With Executive Orders 12612, 12988, and 12866, the Regulatory Flexibility Act (5 U.S.C. 601-612), and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

SBA certifies that this final rule is not a significant rule within the meaning of Executive Order 12866, since it is not likely to have an annual economic effect of \$100 million or more, result in a major increase in costs or prices, or have a significant adverse effect on competition or the U.S. economy.

SBA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

SBA certifies that this final rule does not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C., chapter 35.

For purposes of Executive Order 12612, SBA certifies that this final rule has no federalism implications warranting preparation of a Federalism Assessment. For purposes of Executive Order 12988, SBA certifies that this final rule is drafted, to the extent practicable, to accord with the standards set forth in paragraph 2 of that Order.

List of Subjects in 13 CFR Part 120

Loan programs—business.

For the reasons stated in the preamble, the Small Business Administration amends 13 CFR part 120 as follows:

PART 120—BUSINESS LOANS

1. The authority citation for part 120 continues to read as follows:

Authority: 15 U.S.C. 634 (b)(6) and 636(a) and (h).

2. In § 120.540, revise the section heading, add paragraph (b)(4), and revise paragraph (d) to read as follows:

§ 120.540 What are SBA's policies concerning the liquidation of collateral and the sale of business loans?

* * * * *

(b) * * *

(4) Sell direct and purchased 7(a) and 501, 502, 503 and 504 loans in asset sales. SBA will offer these loans for sale to qualified bidders by means of competitive procedures at publicly advertised sales. Bidder qualifications will be set for each sale in accordance with the terms and conditions of each sale.

* * * * *

(d) *Recoveries and security interests shared.* SBA and the Lender will share pro rata (in accordance with their respective interests in a loan) all loan payments or recoveries, including proceeds from asset sales, all reasonable expenses (including advances for the care, preservation, and maintenance of collateral securing the loan and the payment of senior lienholders), and any security interest or guarantee (excluding SBA's guarantee) which the Lender or SBA may hold or receive in connection with a loan.

* * * * *

Dated: August 10, 1999.

Aida Alvarez,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-275-AD; Amendment 39-11251; AD 99-17-02]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 777 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 777 series airplanes, that requires repetitive inspections of the safety spring wear plate doublers attached to the auxiliary power unit (APU) firewall, measurement of wear of the doublers, and follow-on actions, if necessary. For certain airplanes, this amendment also requires a one-time inspection to detect improper clearance between the safety spring wear plate doubler and the APU firewall, and corrective action, if necessary. This amendment also

provides for optional terminating action for the repetitive inspections. This amendment is prompted by reports indicating that excessive wear was found on the safety spring wear plate doublers on the APU firewall of Boeing Model 777 series airplanes. The actions specified by this AD are intended to detect and correct wear of the safety spring wear plate doublers on the APU firewall, which could result in a hole in the APU firewall, and consequent decreased fire protection capability.

DATES: Effective September 17, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 17, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. **FOR FURTHER INFORMATION CONTACT:** Ed Hormel, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2681; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 777 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on April 8, 1999 (64 FR 17130). That action proposed to require repetitive inspections of the safety spring wear plate doublers attached to the auxiliary power unit (APU) firewall, measurement of wear of the doublers, and follow-on actions, if necessary. For certain airplanes, that action also proposed to require a one-time inspection to detect improper clearance between the safety spring wear plate doubler and the APU firewall, and corrective action, if necessary. That action also provided for optional terminating action for the repetitive inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due

consideration has been given to the comments received.

Support for the Proposal

One commenter supports the proposed rule.

Request for Extension of the Compliance Time

One commenter requests that the compliance time for the actions specified by paragraphs (a), (b), and (c) of the proposed AD be extended. The commenter states that it operates 34 airplanes affected by the proposed rule, including airplanes that have accumulated as many as 15,000 total flight hours. The commenter states that it has begun accomplishing the terminating action, and thus far, none of the removed wear plates show wear levels approaching penetration. Although the commenter supports the decision to mandate Boeing Alert Service Bulletin 777-53A0018, Revision 1, dated February 11, 1999, it feels that the inspection compliance times specified in paragraphs (a), (b), and (c) of the proposal are unnecessarily conservative.

The FAA does not concur with the commenter's request to extend the compliance time. In developing an appropriate compliance time for this action, the FAA considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the modification. In consideration of these items, as well as the variability in the reported wear rate of the safety spring wear plate doublers attached to the APU firewall, the FAA has determined that the compliance times specified in paragraphs (a), (b), and (c) of the AD will not place an undue hardship on the majority of affected operators, and an acceptable level of safety can be maintained. No change to the final rule is necessary.

Explanation of Changes Made to the Applicability

The final rule has been revised to correct the applicability of the AD. In the preamble to the supplemental NPRM, the FAA discussed the difference between the effectivity listing of the alert service bulletin and the applicability of the AD. The supplemental NPRM stated that Model 777 series airplanes after line number 156 have stainless steel wear plate doublers installed prior to delivery. Since the issuance of the supplemental NPRM, the FAA has determined that there are four airplanes having line numbers less than 157 (line numbers 94, 102, 104, and 120) that had the stainless