

§ 557.11 To what extent does federal law preempt deposit-related state laws?

(a) Under sections 4(a), 5(a), and 5(b) of the HOLA, 12 U.S.C. 1463(a), 1464(a), and 1464(b), OTS is authorized to promulgate regulations that preempt state laws affecting the operations of federal savings associations when appropriate to:

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PART 559—SUBORDINATE ORGANIZATIONS

9. The authority citation for part 559 continues to read as follows:

Authority: 12 U.S.C. 1462, 1462a, 1463, 1464, 1828.

10. Section 559.11 is amended by revising the second sentence to read as follows:

§ 559.11 What notices are required to establish or acquire a new subsidiary or engage in new activities through an existing subsidiary?

* * * The Notice must contain all of the information the Federal Deposit Insurance Corporation (FDIC) requires under 12 CFR 362.15. * * *

PART 563—OPERATIONS

11. The authority citation for part 563 continues to read as follows:

Authority: 12 U.S.C. 375b, 1462, 1462a, 1463, 1464, 1467a, 1468, 1817, 1820, 1828, 1831i, 3806; 42 U.S.C. 4106.

12. Section 563.41 is amended by revising paragraph (b)(1)(v)(B) to read as follows:

§ 563.41 Loans and other transactions with affiliates and subsidiaries.

* * * * *

(b) * * *

(1) * * *

(v) * * *

(B) That the Office determines presents a risk to the safety or soundness of the savings association, based on the nature of the activities conducted by the company, amount of transactions with the savings associations or its subsidiaries, financial condition of the company or its parent savings association, or other supervisory factors;

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13. Section 563.171 is amended by revising the section heading to read as follows:

§ 563.171 Frequency of safety and soundness examination.

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PART 572—LOANS IN AREAS HAVING SPECIAL FLOOD HAZARDS

14. The authority citation for part 572 continues to read as follows:

Authority: 12 U.S.C. 1462, 1462a, 1463, 1464; 42 U.S.C. 4012a, 4104a, 4104b, 4106, 4128.

15. Section 572.6 is amended by revising paragraph (a) to read as follows:

§ 572.6 Required use of standard flood hazard determination form.

(a) *Use of form.* A savings association shall use the standard flood hazard determination form developed by the Director of FEMA when determining whether the building or mobile home offered as collateral security for a loan is or will be located in a special flood hazard area in which flood insurance is available under the Act. The standard flood hazard determination form may be used in a printed, computerized, or electronic manner. A savings association may obtain the standard flood hazard determination form from FEMA, P.O. Box 2012, Jessup, MD 20794–2012.

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Dated: December 6, 1999.

By the Office of Thrift Supervision.

Ellen Seidman,

Director.

[FR Doc. 99–32066 Filed 12–9–99; 8:45 am]

BILLING CODE 6720–01–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98–SW–33–AD; Amendment 39–11460; AD 98–25–10 R1]

RIN 2020–AA64

Airworthiness Directives; Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH Seat Restraint Systems

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems installed on, but not limited to, Beech Aircraft Corp., Bell Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet

Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft, that currently requires inspecting to ensure the locking mechanism is engaging properly and replacing the buckle-half of the seat restraint system, if necessary. This amendment will allow an owner/operator (pilot) to determine if the locking mechanism is engaging properly and will require replacing the buckle-half of the seat restraint system, if necessary. This amendment is prompted by a determination made by the FAA that pilots may perform the one-time check of the locking mechanism and that only affected seat restraint systems manufactured between March 1997 and November 1998 must be checked. The actions specified by this AD are intended to prevent failure of the seat restraint system due to the buckle assembly locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing.

EFFECTIVE DATE: January 14, 2000.

FOR FURTHER INFORMATION CONTACT: Rob Romero, Aerospace Engineer, Airplane Certification Office, ASW–150, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5102, fax (817) 222–5960.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by revising AD 98–25–10, Amendment 39–10936 (63 FR 67775, December 9, 1998), which is applicable to Aircraft Belts, Inc. Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems, was published in the **Federal Register** (64 FR 47715, September 1, 1999). The action proposed to allow a pilot to determine if the seat restraint system's locking mechanism is engaging properly and required replacing the buckle-half of the seat restraint system, if necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter states that the proposal should be withdrawn because it serves no useful purpose and will only generate confusion. In lieu of a withdrawal, the commenter requests that the effective date of the existing AD be stated in the compliance provision and that a note be included in the revision that indicates operators who previously complied with the AD are not affected by the revision. The FAA does not concur with the commenter's suggestions.

While the AD revision is not intended to create any additional requirements, there are valid reasons for its issuance. This revision allows pilots to perform the required visual check; further, it establishes limits on the manufacture dates to which the AD is applicable. As to inserting a note giving credit to those that have already performed the requirements, that is unnecessary since the compliance provision allows this credit when it states "unless accomplished previously."

The commenter also states that the cost estimate given in the proposal is incorrect as the affected operators have already accomplished the inspection/replacement. Additionally, the commenter states that it would be more accurate to include in the cost estimate the paperwork costs that operators must generate to update their AD records to reflect the revised amendment number. The FAA does not concur because all operators may not have reached the 10 hours time-in-service compliance time.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 12,278 seat restraint systems of U.S. registry will be affected by this AD, that it will take approximately one-half work hour to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$10 per buckle half. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$368,340.

The regulations adopted herein will not impose substantial direct compliance costs on states or local governments or have substantial direct effects 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. Therefore, in accordance with Executive Order 13132, the FAA has not consulted with States or local authorities prior to the publication of this rule.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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. 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 FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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 removing Amendment 39-10936 (63 FR 67775, December 9, 1998), and by adding a new airworthiness directive (AD), Amendment 39-11460, to read as follows:

AD 98-25-10 R1 Aircraft Belts, Inc.:

Amendment 39-11460. Docket No. 98-SW-33-AD. Revises AD 98-25-10, Amendment 39-10936.

Applicability: Model CS, CT, FM, FN, GK, GL, JD, JE, JT, JU, MD, ME, MM, MN, NB, PM, PN, RG, and RH seat restraint systems manufactured between March 1997 and November 1998 that are installed on, but not limited to, Beech Aircraft Corp., Bell

Helicopter Textron, Inc., Cessna Aircraft Co., Dassault Aviation, Eurocopter Deutschland, Eurocopter France, Gulfstream Aerospace, Learjet Corp., Lockheed Aircraft Corp., and Piper Aircraft Corp. aircraft, certificated in any category.

Note 1: This AD applies to each seat restraint system identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For seat restraint systems 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 (d) 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 within 10 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent failure of the seat restraint system due to the buckle assembly (buckle) locking mechanism not engaging properly, which could result in the seat restraint system failing to properly secure the occupant during turbulence or landing, accomplish the following:

Note 2: The part number (P/N) of the seat restraint system is on the identification label located on each end of the seat restraint system near the anchor point (Example: P/N MD A2626-E010). The model is designated by the first two letters of the P/N.

(a) Visually check all affected seat restraint systems to determine if the locking mechanism is engaging properly in accordance with the following:

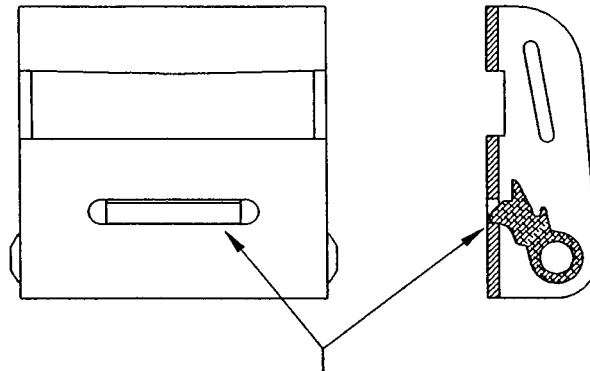
(1) Open the lift lever of the buckle fully until it will not open any further. This will cause the locking mechanism to pivot on the pivot pin.

(2) Allow the spring to close the lift lever slowly until the lift lever is back to its at-rest position.

(3) After the lever is completely closed, examine the slot in the bottom of the buckle. The locking mechanism should be firmly seated against the edge of the slot as shown in Figure 1.

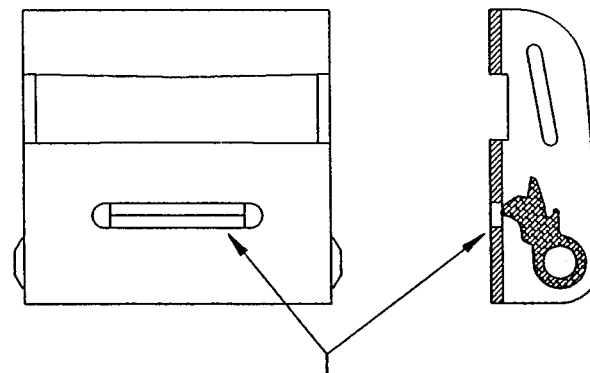
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RIGHT



THE LEDGE OF THE LOCKING MECHANISM MUST BE FIRMLY SEATED ON THE BOTTOM EDGE AS SHOWN.

WRONG



THE LEDGE OF THE LOCKING MECHANISM IS NOT FIRMLY SEATED ON THE BOTTOM EDGE,

Figure 1

(b) If the locking mechanism does not seat properly, replace the buckle with an airworthy buckle.

(c) The requirements of this AD may be performed by an owner/operator (pilot) holding at least a private pilot certificate and must be entered into the aircraft records showing compliance with this AD in accordance with sections 43.11 and 91.417(a)(2)(v) of the Federal Aviation Regulations (14 CFR sections 43.11 and 91.417(a)(2)(v)).

Note 3: If the seat restraint systems' locking mechanisms are found to be functioning properly after the visual check described in paragraph (a) of this AD, the following is an example of a maintenance record entry that may be used:

"AD (number), paragraph (a) complied with by visual check. Seat belt buckle locking mechanism(s) found serviceable. (Date) (Aircraft total time-in-service). (Signature) (Certificate number and type of certificate held)"

If any of the seat restraint systems' locking mechanisms are found to malfunction after the visual check described in paragraph (a), the following is an example of a maintenance record entry that may be used:

"AD (number), paragraphs (a) and (b) complied with by visual check and replacement of seat belt buckle locking mechanism(s) on (seat location(s)) with airworthy buckle(s). (Date) (Aircraft total time-in-service). (Signature) (Certificate number and type of certificate held)"

(d) 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, Airplane Certification Office, FAA. Operators shall submit their requests through a FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Airplane Certification Office.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Airplane Certification Office.

(e) 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 aircraft to a location where the requirements of this AD can be accomplished.

(f) This amendment becomes effective on January 14, 2000.

Issued in Fort Worth, Texas, on December 3, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-32083 Filed 12-9-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 10, 12, and 510

[Docket No. 99N-4957]

Removal of Designated Journals

AGENCY: Food and Drug Administration, HHS.

ACTION: Direct final rule.

SUMMARY: The Food and Drug Administration (FDA) is removing its regulation that lists the veterinary and scientific journals available in FDA's library. The purpose of the list is to allow individuals to reference articles from listed journals in new animal drug applications (NADA), documents submitted to the Dockets Management Branch, and objections and requests for a hearing on a regulation or order instead of submitting a copy or reprint of the article. FDA is taking this action because this list of journals is outdated and because individuals rarely use the regulation. Elsewhere in this issue of the **Federal Register**, FDA is issuing a companion proposed rule. If significant adverse comments are received about this direct final rule, it will be withdrawn and FDA will follow its usual procedures for notice-and-comment rulemaking based on the companion proposed rule.

DATES: This regulation is effective April 24, 2000. Submit written comments on this direct final rule by February 23, 2000. If FDA receives no significant adverse comments within the specified comment period, the agency intends to publish in the **Federal Register** a document confirming the effective date of the final rule within 30 days after the comment period on the direct final rule ends. If timely significant adverse comments are received, the agency will publish in the **Federal Register** a document withdrawing this direct final rule before its effective date.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Gail L. Schmerfeld, Center for Veterinary Medicine (HFV-100), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0205.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is amending the animal drug regulations to remove 21 CFR 510.95

Designated journals. This regulation lists veterinary and scientific journals available in FDA's library. It permits waiving submission of reprints and summaries of articles from listed journals. FDA is taking this action because the regulation has rarely been used, the list of journals is outdated, and FDA does not believe it to be a wise expenditure of its resources to update the list and to have reviewers retrieve copies of referenced journals from its library, given the minimal burden on individuals to submit copies. FDA notes that the change is more likely to expedite rather than delay review of applications and other documents. For example, if the sponsor provides a copy of the article in full it permits prompt and efficient review of the application.

Prior to the bifurcation of human and animal drug regulations under the Animal Drug Amendments of 1968, the designated journal rule was found at 21 CFR 130.38. At that time, 21 CFR 130.4, the rule covering new drug applications (human and animal) stated that, "[r]eprints are not required of reports in designated journals." When the NADA rule (presently § 514.1 (21 CFR 514.1)) was separated from the new human drug applications rule, this reference to the designated journals rule was dropped. The agency continued to consider the designated journals provision cited above to be part of the NADA rule, however, and allowed sponsors to omit from their NADA's copies of articles from designated journals. The agency is not amending the NADA rule, § 514.1, since it does not refer to designated journals.

The direct final rule amends 21 CFR 10.20 *Submission of documents to the Dockets Management Branch; computation of time; availability for public disclosure* and 21 CFR 12.22 *Filing objections and requests for a hearing on a regulation or order* by eliminating the designated journals exception to the requirement that copies of cited articles be provided.

II. Rulemaking Action

In the **Federal Register** of November 21, 1997 (62 FR 62466), FDA described its procedures on when and how FDA will employ direct final rulemaking. FDA believes that this rule is appropriate for direct final rulemaking because FDA views this rule as a noncontroversial amendment and anticipates no significant adverse comments. Consistent with FDA's procedures on direct final rulemaking, FDA will publish a notice of significant adverse comment and withdraw this direct final rule within 30 days after the comment period ends if it receives any