

except as otherwise provided by § 567.12 of this part.

* * * * *

(v) If a savings association has any investments (both debt and equity) in one or more subsidiaries engaged as of April 12, 1989 and continuing to be engaged in any activity that would not fall within the scope of activities in which includable subsidiaries may engage, it must deduct such investments from assets and, thus, core capital in accordance with this paragraph (a)(2)(v). The savings association must first deduct from assets and, thus, core capital the amount by which any investments in such subsidiary(ies) exceed the amount of such investments held by the savings association as of April 12, 1989. Next the savings association must deduct from assets and, thus, core capital the lesser of:

(A) The savings association's investments in and extensions of credit to the subsidiary as of April 12, 1989; or

(B) The savings association's investments in and extensions of credit to the subsidiary on the date as of which the savings association's capital is being determined.

* * * * *

(c) *Total capital.* (1) A savings association's total capital equals the sum of its core capital and supplementary capital (to the extent that such supplementary capital does not exceed 100% of its core capital).

(2) The following assets, in addition to assets required to be deducted elsewhere in calculating core capital, are deducted from assets for purposes of determining total capital:

(i) Reciprocal holdings of depository institution capital instruments;

(ii) All equity investments; and

(iii) That portion of land loans and nonresidential construction loans in excess of 80 percent loan-to-value ratio.

(3) For the purposes of any risk-based capital requirement under this part, a savings association's total capital equals the amount calculated pursuant to paragraphs (c)(1) and (c)(2) of this section, minus the amount of its IRR component as calculated pursuant to § 567.7 of this part.

28. Section 567.6 is amended by revising paragraph (a)(1)(iii)(D) to read as follows:

§ 567.6 Risk-based capital credit risk-weight categories.

(a) * * *

(1) * * *

(iii) * * *

(D) Qualifying residential construction loans as defined in § 567.1 of this part.

* * * * *

29. Section 567.9 is amended by:

a. in paragraph (c)(1), removing the phrase “§ 567.1(m)”, and by adding in lieu thereof the phrase “§ 567.1”;

b. revising paragraph (c)(3); and

c. in paragraph (c)(4), removing the phrase “§ 567.1(1)”, and by adding in lieu thereof the phrase “§ 567.1”.

The revisions read as follows:

§ 567.9 Tangible capital requirement.

* * * * *

(c) * * *

(3) If a savings association has any investments (both debt and equity) in one or more subsidiary(ies) engaged as of April 12, 1989 and continuing to be engaged in any activity that would not fall within the scope of activities in which includable subsidiaries may engage, it must deduct such investments from assets and, thus, tangible capital in accordance with this paragraph (c)(3). The savings association must first deduct from assets and, thus, capital the amount by which any investments in such a subsidiary(ies) exceed the amount of such investments held by the savings association as of April 12, 1989. Next, the savings association must deduct from assets and, thus, tangible capital the lesser of:

(i) The savings association's investments in and extensions of credit to the subsidiary as of April 12, 1989; or

(ii) The savings association's investments in and extensions of credit to the subsidiary on the date as of which the savings association's capital is being determined.

(i) The savings association's investments in and extensions of credit to the subsidiary as of April 12, 1989; or

(ii) The savings association's investments in and extensions of credit to the subsidiary on the date as of which the savings association's capital is being determined.

* * * * *

30. Section 567.12 is amended by revising paragraph (a) and the last sentence of paragraph (b) to read as follows:

§ 567.12 Qualifying intangible assets and mortgage servicing rights.

(a) *Scope.* This section prescribes the maximum amount of qualifying intangible assets, as defined in § 567.1 of this part, and mortgage servicing rights that savings associations may include in calculating tangible and core capital.

(b) * * * Intangible assets, as defined in § 567.1 of this part, other than purchased credit card relationships and core deposit intangibles grandfathered by paragraph (g)(3) of this section, must be deducted in computing tangible and core capital.

* * * * *

PART 575—MUTUAL HOLDING COMPANIES

31. The authority citation for part 575 continues to read as follows:

Authority: 12 U.S.C. 1462, 1462a, 1463, 1464, 1467a, 1828, 2901.

§ 575.9 [Amended]

32. Section 575.9 is amended, in the last sentence of paragraph (a)(4), by removing the phrase “remaining paragraphs of section 11”, and by adding in lieu thereof the phrase “remaining paragraphs of section 12”.

Dated: December 11, 1997.

By the Office of Thrift Supervision.

Ellen Seidman,

Director.

[FR Doc. 97-32829 Filed 12-17-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-222-AD; Amendment 39-10248; AD 97-26-05]

RIN 2120-AA64

Airworthiness Directives; British Aerospace (Jetstream) Model HS 748 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all British Aerospace (Jetstream) Model HS 748 series airplanes. This action requires inspections of the inspection holes in all engine ‘W’ frame socket fittings to determine if certain fasteners have been installed, or if the inspection holes have been reworked; and corrective action, if necessary. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent fatigue cracking at the inspection hole locations, due to the installation of certain fasteners or hole enlargement, which could result in failure of the engine mount structure and consequent separation of the engine from the airplane.

DATES: Effective January 2, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director

of the Federal Register as of January 2, 1998.

Comments for inclusion in the Rules Docket must be received on or before January 20, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 97-NM-222-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined 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.

FOR FURTHER INFORMATION CONTACT: International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified the FAA that an unsafe condition may exist on all British Aerospace (Jetstream) Model HS 748 series airplanes. The CAA advises that drive screws have been found installed in the inspection holes of engine 'W' frame socket fittings, which resulted in fatigue cracks at the inspection holes. In addition, investigation revealed that, in some cases, the inspection holes had been enlarged beyond the original 0.125-inch diameter, which would reduce the structural strength of the fittings. Such fatigue cracking at the inspection hole locations, if not detected and corrected in a timely manner, could result in failure of the engine mount structure and consequent separation of the engine from the airplane.

Explanation of Relevant Service Information

British Aerospace (Jetstream) has issued Viscount Preliminary Technical Leaflet (PTL) No. 501, Issue 2, dated June 1, 1994, including Appendix 1, dated January 1, 1994, which describes procedures for a detailed visual inspection of the inspection holes in all engine 'W' frame socket fittings to determine if drive screws, and/or blind rivets have been installed, or if the original 0.125-inch diameter hole size has been reworked. The PTL also describes procedures for reworking the inspection holes and/or replacement of

the 'W' frame fitting, if necessary. The CAA classified this service information as mandatory and issued British airworthiness directive 002-09-94, dated September 1994, in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD requires accomplishment of the actions specified in the PTL described previously, except as described below.

Differences Between This AD and the Service Information

Operators should note that, unlike the procedures described in the referenced PTL and the British airworthiness directive, this AD will not permit further flight if drive screws, blind rivets, and/or reworked holes are found to exist at the inspection hole locations. The FAA has determined that, due to the safety implications and consequences associated with the installation of drive screws, blind rivets, and/or the existence of reworked holes at the inspection hole locations, corrective action must be accomplished prior to further flight.

Cost Impact

None of the Jetstream Model HS 748 series airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these

subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 13 work hours to accomplish the required actions, at an average labor charge of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$780 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-222-AD." The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not 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 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 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:

97-26-05 British Aerospace Regional Aircraft [Formerly Jetstream Aircraft Limited, British Aerospace (Commercial Aircraft) Limited]: Amendment 39-10248. Docket 97-NM-222-AD.

Applicability: All Model HS 748 series airplanes, certificated in any category.

Note 1: This AD applies to each airplane 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 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 prevent fatigue cracking at the inspection hole locations, due to the installation of drive screws, and/or blind rivets, or hole enlargement, which could result in failure of the engine mount structure and consequent separation of the engine from the airplane, accomplish the following:

(a) Within 12 months after the effective date of this AD, perform a detailed visual inspection of the inspection holes in all of the aft engine 'W' frame socket fittings to determine if drive screws and/or blind rivets have been installed, and to determine if the inspection holes have been reworked, in accordance with PART ONE of the Accomplishment Instructions of British Aerospace (Jetstream) Viscount Preliminary Technical Leaflet (PTL) No. 501, Issue 2, dated June 1, 1994, including Appendix 1, dated January 1, 1994. If a drive screw or blind rivet is installed, or if any inspection hole has been reworked, prior to further flight, accomplish follow-on corrective actions, as applicable, in accordance with PART THREE of the Accomplishment Instructions of the PTL.

(b) At the next engine 'W' frame removal, or within 24 months after the effective date of this AD, whichever occurs first: Perform a detailed visual inspection of the inspection holes in all of the forward engine 'W' frame socket fittings to determine if drive screws and/or blind rivets have been installed, and to determine if the inspection holes have been reworked, in accordance with PART TWO of the Accomplishment Instructions of British Aerospace (Jetstream) Viscount PTL No. 501, Issue 2, dated June 1, 1994, including Appendix 1, dated January 1, 1994. If a drive screw or blind rivet is installed, or if any inspection hole has been reworked, prior to further flight, accomplish follow-on corrective actions, as applicable, in accordance with PART THREE of the Accomplishment Instructions of the PTL.

Note 2: Accomplishment of the inspections and/or corrective actions in accordance with Jetstream Service Bulletin HS748-71-33, dated September 2, 1994, is considered acceptable for showing compliance with the requirements of paragraphs (a) and (b) of this AD.

(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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(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 British Aerospace (Jetstream) Viscount Preliminary Technical Leaflet (PTL) No. 501, Issue 2, dated June 1, 1994, including Appendix 1, dated January 1, 1994. 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 AI(R) American Support, Inc., 13850 Mclearen Road, Herndon, Virginia 20171. 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.

Note 4: The subject of this AD is addressed in British airworthiness directive 002-09-94, dated September 1994.

(f) This amendment becomes effective on January 2, 1998.

Issued in Renton, Washington, on December 9, 1997.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-32610 Filed 12-17-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-CE-51-AD;
Amendment 39-10251; AD 97-26-08]

RIN 2120-AA64

Airworthiness Directives; Mooney Aircraft Corporation Models M20F, M20J, and M20L Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Mooney Aircraft Corporation (Mooney) Models M20F, M20J, and M20L airplanes. This action requires removing the fuel cap retaining lanyard from the fuel filler cap assemblies. A report of lost engine power during flight because of fuel starvation prompted the action. The investigation revealed that the airplane fuel float became trapped by the fuel cap retaining lanyard, keeping the float from following the fuel