

12 CFR Part 346

Bank deposit insurance, Foreign banking, Reporting and recordkeeping requirements.

12 CFR Part 362

Administrative practice and procedure, Authority delegations (Government agencies), Bank deposit insurance, Banks, banking, Insured depository institutions, Investments.

The Board of Directors of the Federal Deposit Insurance Corporation, under the authority of 12 U.S.C. 1819(a)(Tenth), hereby amends Parts 303, 304, 308, 309, 324, 337, 341, 343, 346, 361 and 362 of title 12 of the Code of Federal Regulations as follows:

PART 303—APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES REQUIRED TO BE FILED BY STATUTE OR REGULATION

1. The authority citation for Part 303 continues to read as follows:

Authority: 12 U.S.C. 378, 1813, 1815, 1816, 1817(a)(2)(b), 1817(j), 1818, 1819 (“Seventh,” “Eighth” and “Tenth”), 1828, 1831e, 1831o, 1831p-1(a); 15 U.S.C. 1607.

§ 303.0 [Amended]

2. In § 303.0, the heading for paragraph (c) and paragraph (c)(1) are removed and paragraph (c)(2) is redesignated as paragraph (c).

PART 337—UNSAFE AND UNSOUND BANKING PRACTICES

1. The authority citation for Part 337 continues to read as follows:

Authority: 12 U.S.C. 375a(4), 375b, 1816, 1818(a), 1818(b), 1819, 1821(f), 1828(j)(2), 1831f, 1831f-1.

2. Section 337.6 is amended by revising the first sentence of paragraph (e)(1) and paragraph (h)(3) to read as follows:

§ 337.6 Brokered deposits.

* * * * *

(e) *Decision.* (1) The Director of the Division of Supervision and, when confirmed in writing by the Director, an associate director or the appropriate regional director or deputy regional director, shall each have the authority to approve any waiver application properly filed. * * *

* * * * *

(h) * * *

(3) The Director of the Division of Supervision or designee may request, from time to time, quarterly written reports from any deposit broker regarding the volume of brokered deposits placed with a specified insured

depository institution and the maturities, rates and costs associated with such deposits.

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PART 346—FOREIGN BANKS

1. The authority citation for Part 346 continues to read as follows:

Authority: 12 U.S.C. 1813, 1815, 1817, 1819, 1820, 3103, 3104, 3105, 3108.

2. Section 346.101 is amended by revising paragraph (g) to read as follows:

§ 346.101 Applications.

* * * * *

(g) *Delegation of authority.* Authority is hereby delegated to the Director of the Division of Supervision and, when confirmed in writing by the Director, to an associate director, or to the appropriate regional director or deputy regional director, to approve plans of divestiture and cessation submitted pursuant to paragraph (f) of this section.

PART 362—ACTIVITIES AND INVESTMENTS OF INSURED STATE BANKS

1. The authority citation for Part 362 continues to read as follows:

Authority: 12 U.S.C. 1816, 1818, 1819(Tenth), 1831a.

2. Section 362.6 is revised to read as follows:

§ 362.6 Delegation of authority.

The authority to review and act upon divestiture plans submitted pursuant to § 362.3(c)(2); the authority to approve or deny notices filed pursuant to § 362.3(d); the authority to approve or deny applications pursuant to § 362.3(b)(7)(ii); and the authority to approve or deny requests for consent pursuant to § 362.4(d) as well as to take any other action authorized by § 362.4(d) is delegated to the Director of the Division of Supervision or the Director’s designee.

PARTS 304, 308, 309, 324, 341, 343, 346 AND 361—[AMENDED]

§ 304.5 [Amended]

1. In § 304.5(a) and (c), by removing the words “Bank Financial Reporting Section, Division of Accounting and Corporate Services” and adding in lieu thereof the words “Division of Supervision” each place they appear.

§ 309.4 [Amended]

2. In § 309.4(e) introductory text, by removing the words “Information Center Unit, Bank Systems Section, Management Information Services Branch, Division of Accounting and

Corporate Services” and adding in lieu thereof the words “Division of Finance” and by removing the semicolon at the end of the paragraph and adding a colon in its place.

§ 361.7 [Amended]

3. In § 361.7(b), by removing the words “Corporate Services Branch, Division of Accounting and Corporate Services” and adding in lieu thereof the words “Division of Administration”.

§§ 308.145, 309.4, 309.5 [Amended]

4. By removing the words “Division of Liquidation” and adding in lieu thereof the words “Division of Depositor and Asset Services” where they appear in the following places:

- a. § 308.145
- b. § 309.4(g)
- c. § 309.5(h)

§§ 324.2, 324.7, 341.3, 341.5, 343.3, 346.20 [Amended]

5. By removing the words “Division of Bank Supervision” and adding in lieu thereof the words “Division of Supervision” where they appear in the following places:

- a. § 324.2(d)
- b. § 324.7(a)
- c. § 341.3(c)
- d. § 341.5(b)
- e. § 343.3(e)
- f. § 346.20(a)

By Order of the Board of Directors.

Dated at Washington, D.C. this 8th day of June, 1995.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Acting Executive Secretary.

[FR Doc. 95-14661 Filed 6-14-95; 8:45 am]

BILLING CODE 6714-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM-110; Special Conditions No. 25-ANM-100]

Special Conditions: Modified Gulfstream American Corporation Model 1159 Airplane; High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Gulfstream American Corporation (GAC) Model 1159 airplane, modified by Learjet, Inc., of Denver, Colorado. This airplane will be

equipped with a digital Electronic Flight Instrument System (EFIS) that will perform critical functions. The applicable regulations do not contain adequate or appropriate safety standards for the protection of the EFIS from the effects of high-intensity radiated fields (HIRF). These special conditions provide the additional safety standards that the Administrator considers necessary to ensure that the critical functions performed by this system are maintained when the airplane is exposed to HIRF.

DATES: The effective date of these special conditions is May 26, 1995. Comments must be received on or before July 31, 1995.

ADDRESSES: Comments on these final special conditions, request for comments, may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attn: Rules Docket (ANM-7), Docket No. NM-110, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked "Docket No. NM-110." Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Mark Quam, FAA, Standardization Branch, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2145.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special conditions effective upon issuance; however, interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and special conditions number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this request must submit with those comments a

self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM-110." The postcard will be date stamped and returned to the commenter.

Background

On March 27, 1995, Learjet, Inc., of Denver, Colorado, applied for a supplemental type certificate to modify the Gulfstream American Corporation (GAC) Model 1159 airplane. The GAC Model 1159 airplane is a business jet with two aft-mounted turbofan engines. The airplane can carry two pilots and 19 passengers, depending on the exit and interior configuration, and is capable of operating to an altitude of 45,000 feet. The original equipment installed in these airplanes presented the required flight information in the form of analog displays. The proposed modification incorporates the installation of a five tube digital Electronic Flight Instrument System (EFIS) that displays required flight critical information and critical functions. The installation of the EFIS system displaying critical functions is potentially vulnerable to high-intensity radiated fields (HIRF) external to the airplane.

Supplemental Type Certification Basis

Under the provisions of § 21.101 of the Federal Aviation Regulations (FAR), Learjet, Inc., must show that the altered GAC Model 1159 airplane continues to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A12EA, or the applicable regulations in effect on the date of application for the change. 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. A12EA include the following for the GAC Model 1159 airplanes: Civil Aviation Regulation (CAR) 4b dated December 31, 1953, including Amendments 4b-1 through 4b-14, Special Regulations SR422B and SR450A. In addition, under § 21.101(b)(1), the following sections of the FAR apply to the EFIS installation: 25.1301(d), 25.1303, and 25.1322, as amended by Amendment 25-38; and 25.1309, 25.1321(a)(b)(d), and (e), 25.1331, 25.1333, and 25.1335, as amended by Amendment 25-41. These special conditions will form an additional part of the supplemental type certification basis.

If the Administrator finds that the applicable airworthiness regulations (i.e., CAR 4b or part 25, as amended) do not contain adequate or appropriate safety standards for the GAC Model

1159 airplane because of a novel of 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, 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 applicant apply for a supplemental type certificate to modify any other model included on the same type certificate 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).

Discussion

There is no specific regulation that addresses protection requirements for electrical and electric systems from high-intensity radiated fields (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 modified GAC Model 1159 airplanes that would require that the EFIS be designed and installed to preclude component damage and interruption of function due to the effects of HIRF.

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, such as the EFIS, to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplanes 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, an 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 treat 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
100 KHz-500 KHz	60	60
500 KHz-2000 KHz	70	70
2 MHz-30 MHz	200	200
30 MHz-70 MHz	30	30
70 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 to the GAC Model 1159 airplane, modified by Learjet, Inc. Should Learjet, Inc. apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A12EA to incorporate 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).

Conclusion

This action affects only certain unusual or novel design features on GAC Model 1159 airplanes modified by Learjet, Inc. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of this feature on this airplane.

The substance of these special conditions has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and

good cause exists for adopting these special conditions immediately. Therefore these special conditions are being made effective upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

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. app. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1857f-10, 4321 et seq.; E.O. 11514; and 49 U.S.C. 106(g).

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the GAC Model 1159 airplane, as modified by Learjet, Inc.:

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 external to the airplane.

2. The following definition applies with respect to this special condition: *Critical Function.* 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 May 26, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-14660 Filed 6-14-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-98-AD; Amendment 39-9254; AD 95-12-04]

Airworthiness Directives; Airbus Industrie Model A320-231 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD),

applicable to certain Model A320-231 series airplanes, that requires repetitive functional checks to detect leakage of the distribution piping of the engine fire extinguishing system, and repair, if necessary; and modification of the piping, which would terminate the inspection requirements. This amendment is prompted by reports of cracking of the engine fire extinguisher pipe, which resulted in leakage of the fire extinguisher agent. The actions specified by this AD are intended to prevent leakage of the fire extinguishing agent, which could prevent the proper distribution of the agent within the nacelle in the event of a fire.

DATES: Effective July 17, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 17, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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: Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056; telephone (206) 227-2797; fax (206) 227-1149.

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 Airbus Model A320-231 series airplanes was published in the **Federal Register** on January 30, 1995 (60 FR 5599). That action proposed to require repetitive visual inspections to detect leakage of the distribution piping of the engine fire extinguishing system, and repair, if necessary; and modification of the piping, which would terminate the inspection requirements.

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

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air