

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-63-AD; Amendment 39-10836; AD 98-21-28]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This action confirms the effective date of Airworthiness Directive (AD) 98-21-28, which applies to certain British Aerospace Jetstream Model 3101 airplanes. AD 98-21-28 requires modifying the propeller de-icing system to assure system performance at low ambient temperatures. This AD was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for the United Kingdom. The actions specified in this AD are intended to prevent propeller-induced vibrations from occurring during icing encounters at low ambient temperatures, which could result in decreased performance of the de-icing system during icing encounters with possible loss of control of the airplane.

EFFECTIVE DATE: January 15, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. S.M. Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6932; facsimile: (816) 426-2169.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with request for comments in the Federal Register on October 14, 1998 (63 FR 55015). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA anticipates that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, was received within the comment period, the regulation would become effective on January 15, 1999. No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, Missouri, on December 1, 1998.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-32473 Filed 12-7-98; 8:45 am]

BILLING CODE 4910-13-U

UNITED STATES INFORMATION AGENCY

22 CFR Part 503

Freedom of Information Act Regulation

AGENCY: United States Information Agency.

ACTION: Final rule.

SUMMARY: This document amends the Agency's current regulation implementing the Freedom of Information Act (FOIA) to conform with requirements made by the Electronic Freedom of Information Act (EFOIA) of 1996 as amended.

EFFECTIVE DATE: January 7, 1999.

ADDRESSES: Freedom of Information Office, United States Information Agency, Room M-29, 301 4th Street, SW, Washington, D.C. 20547.

FOR FURTHER INFORMATION CONTACT: Lola L. Secora, Chief, FOIA/PA Unit, (202) 619-5499.

SUPPLEMENTARY INFORMATION: The United States Information Agency last published a Final Rule to revise its Freedom of Information Act (FOIA) regulations on February 8, 1994, 59 FR 5708, 22 CFR Ch. V (4-1-96 Edition). This new amendment to USIA's regulation implementing the FOIA is required by the EFOIA of 1996 as amended by Pub. L. 104-231. The amendments are made to address and explain how records of USIA will be reviewed and released when the records are maintained in electronic format. However, documentation not previously subject to the FOIA when maintained in a non-electronic format is not made subject to FOIA by this new amendment. It has been determined that this addition is not a significant regulatory action and it will not:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a section of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;
(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
(3) Materially alter the budgetary impact of entitlements, grants, user fees,

or loan programs, or the rights and obligations of recipients thereof;

(4) Have a significant economic impact on a substantial number of small entities; or

(5) Impose any reporting or record keeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

List of Subjects in 22 CFR Part 503

Freedom of information.

Accordingly, 22 CFR part 503 is amended as set forth below:

PART 503—FREEDOM OF INFORMATION ACT REGULATION

1. The authority citation for part 503 reads as follows:

Authority: 5 U.S.C. 301, 552; 13 U.S.C. 8; 22 U.S.C. 503, 2658; E.O. 10477, 18 FR 4540, 3 CFR, 1949-1953 Comp., p. 958; E.O. 10822, 24 FR 4159, 3 CFR, 1959-1963 Comp., p. 355; E.O. 12292, 46 FR 13967, 3 CFR, 1981 Comp., p. 134; E.O. 12356, 47 FR 14874 and 15557, 3 CFR, 1982 Comp., p. 166; E.O. 12958, 60 FR 19825, 3 CFR, 1995 Comp., p. 333.

2. In § 503.1, revise the definition for "Records" in paragraph (b) to read as follows:

§ 503.1 Introduction and definitions.

* * * * *

(b) Definitions * * *

Records (and any other term used in this section in reference to information) includes any information that would be an agency record subject to the requirements of this section when maintained by the Agency in any format, including an electronic format. Records also include any handwritten, typed or printed documents (such as memoranda, books, brochures, studies, writings, drafts, letters, transcripts, and minutes) and documentary material in other forms (such as punchcards; magnetic tapes, cards, or discs; paper tapes; audio or video recordings; maps; photographs; slides; microfilm; and motion pictures). It does not include objects or articles such as exhibits, models; equipment, and duplication machines or audiovisual processing materials. Nor does it include books, magazines, pamphlets, or other reference material in formally organized and officially designated USIA libraries, where such materials are available under the rules of the particular library.

* * * * *

3. In § 503.2, paragraph (b) is revised, the undesignated text at the end of the section is removed, and paragraph (e)(2) is revised to read as follows:

§ 503.2 Making a request.

* * * * *

(b) *Details in your letter.* Your request for documents should provide as many details as possible that will help us find the records you are requesting. If there is insufficient information, we will ask you for more. Include your telephone number(s) to help us reach you if we have questions. If you are not sure how to write your request or what details to include, you may call the FOIA Office to request a copy of the Agency's booklet "Guide and Index of Records," or access the same information via the Internet on USIA's World Wide Web site (<http://www.usia.gov>). The more specific the request for documents, the faster the Agency will be able to respond to your request(s).

* * * * *

(e) *Responding to your request.* * * *

(2) *Furnishing records.* (i) The Agency is only required to furnish copies of records which we have or can retrieve, we are not compelled to create new records. The Agency will aid requesters by providing records and information in the form requested, including electronic format, if we can readily reproduce them in that form or format.

(ii) We may decide to conserve government resources and at the same time supply the records you need by consolidating information from various records, in paper form or electronically, rather than copying them all. If the effort to produce records in electronic format would significantly interfere with the operations of the Agency, we will consider the effort to be an unreasonable search.

(iii) The Agency is required to furnish only one copy of a record. If we are unable to make a legible copy of a record to be released, we will not attempt to reconstruct it. Rather we will furnish the best copy possible and note its poor quality in our reply or on the copy.

(iv) If we cannot accommodate the request for form or format, we will provide responsive, nonexempt information in a reasonably accessible form.

§ 503.3 [Amended]

4. In § 503.3 revise "partial of" in the first sentence of paragraph (d) to read "partial or".

5. In § 503.4, revise paragraph (b)(1), redesignate paragraph (b)(3) as paragraph (b)(3)(i), and add paragraphs (b)(3)(ii) and (b)(3)(iii) to read as follows:

§ 503.4. Time limits.

* * * * *

(b) *Time allowed.* (1) We will decide whether to release records within 20 working days after your request reaches

the appropriate area office that maintains the records you are requesting. When we decide to release records, we will actually provide the records at that time, or as soon as possible after that decision, or let you inspect them as soon as possible thereafter.

* * * * *

(3)(i) * * *

(ii) If an extra ten days still does not provide sufficient time for the Agency to deal with your request, we will inform you that the request cannot be processed within the statutory time limit and provide you with the opportunity to limit the scope of your request and/or arrange with us a negotiated deadline for processing your request.

(iii) If you refuse to reasonably limit the scope of your request or refuse to agree upon a time frame, the Agency will process your case as it would have, had no modification been sought. We will make a diligent, good-faith effort to complete our review within the statutory time frame.

6. In § 503.5, revise paragraphs (a) introductory text, (a)(4), and (c) to read as follows: § 503.5 Records available for public inspection.

(a) To the extent that they exist, we will make the following records of general interest available for you in paper form or electronically for inspection or copying:

* * * * *

(4) In addition to such records as those described in this paragraph (a), we will make available to any person a copy of all other Agency records, in the format requested, if available, unless we determine that such records should be withheld from disclosure under subsection (b) of the Act and § 503.8 and § 503.9 of this part.

* * * * *

(c) The Agency's FOIA Guide and Index will be available electronically via the Internet, or you may request a copy of it by mail.

7. In § 503.7, revise paragraphs (c)(2) and (e)(3) to read as follows;

§ 503.7 Fees.

* * * * *

(c) * * *

(2) *Computer searching and printing.* Except in unusual cases, the cost of computer time will not be a factor in calculating the two free hours of search time. In those unusual cases, where the cost of conducting a computerized search significantly detracts from the Agency's ordinary operations, no more than the dollar equivalent of two hours of manual search time shall be allowed. For searches conducted beyond the first

two hours, the Agency shall only charge the direct costs of conducting such searches.

* * * * *

(e) *Waiver or reduction of fees.* * * *

(3) You must make your request for a waiver or reduction at the same time you make your request for records. Only the FOIA Officer may make the decision whether to waive or reduce the fees. If we do not completely grant your request for a waiver or reduction, the denial letter will designate the appeal official.

8. In § 503.8, remove the period at the end of paragraph (d)(5)(vi) and add a semicolon in its place, and add paragraph (d)(5)(vii) to read as follows:

§ 503.8 Exemptions.

* * * * *

(d) *Exemption four—Trade secrets and confidential commercial or financial information*

* * * * *

(5) *Exceptions to predisclosure notification.* * * *

(vii) We withhold the information because another statute requires its withholding.

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Dated: December 1, 1998.

Les Jin,

General Counsel.

[FR Doc. 98-32511 Filed 12-7-98; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8611]

RIN 1545-AS40

Conduit Arrangement Regulations; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to final regulations (TD 8611), which were published in the **Federal Register** on Friday, August 11, 1995 (60 FR 40997) relating to conduit financing arrangements.

DATES: This correcting amendment is effective September 11, 1995.

FOR FURTHER INFORMATION CONTACT: Phyllis Marcus, (202) 622-3870 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction are under