consequences in the relevant geographic market for the cluster of banking products.[4] Similarly, the legal standards that apply to the location of bank branches depend on certain conceptions of geography.[5] How should these kinds of regulatory provisions be revised (if at all) to more appropriately govern the location of online banking and lending activities?

Other laws or regulations contain concepts of time that may not be relevant in an online environment. For example, the term ''banking day'' in Regulation CC is defined as that part of any business day on which an office of a bank is open to the public for carrying on substantially all of its banking functions.[6] Regulation CC requires funds that must be available for withdrawal on a business day to be available at the start of business, which may be as late as 9 a.m. local time of the depositary bank.[7] Are these provisions appropriate in the context of a customer that opened an account and performs all banking functions online?

The Board recognizes that these traditional boundaries of geography and time may need to be reexamined in light of online banking practices that enable customers to obtain financial products and services relatively free from customary time or place constraints. Comments are invited on how particular laws and regulations may be modified to accommodate the online delivery of financial products and services under these varying conditions.

Banking and Supervisory Regulations and Policies

The Board invites comment on how particular regulations or supervisory policies specifically affect financial institutions and their customers' uses of new technologies. For example, are there any specific Board regulations that unreasonably interfere with the use of online technologies? Are there any supervisory policies that impose unreasonable burdens on a financial institution's design or adaptation of online technologies? Are there any regulations or other supervisory policies regarding risk management that should be clarified or amended to adequately address any particular risks associated with methods of online banking?

Electronic Signatures in Global and National Commerce Act and Other Federal Laws That Affect Online Banking

The Board recognizes that the enactment of the Electronic Signatures in Global and National Commerce Act (E-Sign Act) has addressed several important legal and regulatory issues regarding the uses of electronic media in commercial transactions.[8] For example, the E-Sign Act permits the retention of certain types of records in electronic form (subject to specified conditions) if such records are required by any other law or regulation.[9] Do any of the Board's regulations or supervisory policies require a banking organization to use or retain written forms, notices, or other records in a manner that hinders its ability to deliver financial products or services over the Internet? The Board requests comment on how particular provisions of the E-Sign Act, or any other law, affect financial institutions and their customers' ability to use (or ease of using) new technologies.

Differing Legal Requirements

Do certain provisions of Federal law that apply to online banking and lending practices make compliance with other provisions of State law (or laws enforced by foreign states) more costly? Are there particular aspects of conducting online banking and lending activities that could benefit from a single set of legal standards that can be applied uniformly nationwide?

Are there any inconsistencies between Federal and State laws or regulations that impede the electronic provision or use of financial products or services? For example, do State laws or regulations apply differently to state-chartered financial institutions, relative to federally chartered institutions, that conduct online banking and lending? Are there any State laws or regulations, such as licensing provisions for banking and other financial products and services, that affect the nationwide provision of financial products or services over the Internet?

By order of the Board of Governors of the Federal Reserve System, May 16, 2001.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 01–12689 Filed 5–18–01; 8:45 am]

BILLING CODE 6210–01–P

[4] *United States* v. *Philadelphia Nat'l Bank*, 374 U.S. 321 (1963) (In an action challenging a proposed merger of banks under the antitrust laws, the Court held, in relevant part, that the geographic market for the cluster of banking products and services is local in nature).

[5] 12 U.S.C. 321 (requiring, in relevant part, a state member bank to obtain the Board's approval to establish certain new branches ''beyond the limits of the city, town, or village in which the parent bank is located'').

[6] 12 CFR 229.2(f).

[7] 12 CFR 229.19(b).

[8] Pub. L. 106–229, 114 Stat. 464 (2000).

[9] Sec. 101(d), 114 Stat. 466–67.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–ANE–59–AD]

Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to Pratt & Whitney (PW) JT8D series turbofan engines. That action would have superseded an existing AD to require initial and repetitive borescope inspections for loss of fuel nozzle nut torque and nozzle support wear, and replacement or modification of the fuel nozzles at the next accessibility of the diffuser build group as terminating action to the inspections. That proposal was prompted by reports of loss of fuel nozzle nut torque and nozzle support wear. Since the issuance of that NPRM, the FAA has reevaluated the likelihood that the unsafe condition will exist or develop on other products of the same type design. Accordingly, the proposed rule is withdrawn.

FOR FURTHER INFORMATION CONTACT: Tara Goodman, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7130; fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to PW JT8D series turbofan engines, was published in the **Federal Register** on May 1, 1998 (63 FR 24138). The proposed rule would have required initial and repetitive borescope inspections for loss of fuel nozzle nut torque and nozzle support wear, and replacement or modification of the fuel nozzles at the next accessibility of the diffuser build group as terminating action to the inspections. That action was prompted by reports of loss of fuel nozzle nut torque and nozzle support wear. The proposed actions were intended to prevent loss of fuel nozzle nut torque and nozzle support wear, which could result in a fuel leak and possible engine fire.

Since issuing that NPRM, the FAA has reevaluated the safety concerns that the proposed actions would have

addressed using the most recent fleet data. Field experience shows that leaking fuel nozzles, which can lead to burn-through of the diffuser case, was a significant flight safety concern primarily at the number 7 location because of the proximity of oil lines. This is addressed by AD 95–02–16.

To date, there have not been any incidents of diffuser case burn-through due to fuel leakage across the fuel nozzle secondary seal where the fuel nozzle configuration is as prescribed by AD 95–02–16. There has been one incident where the fuel nozzle at the number 7 position has leaked due to loss of nut torque, ignited, and burned through the diffuser case. However, because the oil line fittings had been replaced in accordance with AD 95–02–16, there was no burn-through of the oil fittings and no oil fire. The following requirements of AD 95–02–16, are sufficient to mitigate the safety concern:

- Initial and repetitive inspections of the number 7 fuel nozzle and support assembly, AND
- Replacement of the number 7 fuel nozzle and support assembly with a more leak resistant configuration, AND
- Replacement of aluminum oil pressure and scavenge tube fittings with steel fittings, AND
- Replacement of an aluminum oil scavenge line bolt with a steel bolt.

Upon further consideration, the FAA has determined that there is no longer a likelihood that the unsafe condition will exist or develop on other products of the same type design, and as a result, superseding the existing AD is no longer required. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this notice of proposed rulemaking constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore, is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 97–ANE–59–AD, published in the **Federal Register** on May 1, 1998, (63 FR 24138), is withdrawn.

Issued in Burlington, Massachusetts, on May 10, 2001.

Francis A. Favara,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 01–12674 Filed 5–18–01; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF THE INTERIOR

Indian Arts and Crafts Board

25 CFR Part 309

RIN 1076–AE16

Protection of Products of Indian Art and Craftsmanship

AGENCY: Indian Arts and Crafts Board (IACB), DOI.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This proposal establishes regulations to provide guidance to persons who produce, market, or purchase arts and crafts marketed as Indian products, as defined under the Indian Arts and Crafts Act of 1990. The proposed regulations further clarify the definition of ''Indian product'' by including specific examples of ''Indian product,'' as well as examples of what is not an ''Indian product,'' in the regulations implementing the Indian Arts and Crafts Enforcement Act of 2000, an amendment to the Indian Arts and Crafts Act of 1990.

DATES: Written comments must be received on or before August 20, 2001.

ADDRESSES: If you wish to comment on the proposed rule for the Indian Arts and Crafts Enforcement Act of 2000, you may submit your comments by any one of several methods. You may mail comments to: Director, Indian Arts and Crafts Board, Room 4004–MIB, 1849 C Street, NW., Washington, DC 20240. You may also fax comments to 202–208–5196 or comment via the Internet to *iacb@os.doi.gov.* Please also include ''Attn: RIN 1076–AE16 and your name and return address in your mailed, faxed, or Internet message. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation from the system that we received your Internet message, contact us directly at 202–208–3773.

FOR FURTHER INFORMATION CONTACT: Meridith Z. Stanton, Director, Indian Arts and Crafts Board, Room 4004–MIB, 1849 C Street, NW., Washington, DC 20240, telephone 202–208–3773 (not a toll-free call), fax 202–208–5196, or e-mail *iacb@os.doi.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Indian Arts and Crafts Board (IACB) was created by Congress pursuant to the Act of August 27, 1935 (49 Stat. 891; 25 U.S.C. 305 *et seq.*; 18 U.S.C. §§ 1158–59). The IACB is responsible for implementing the Indian Arts and Crafts Act of 1990, promoting the development of American Indian and Alaska Native arts and crafts, improving the economic status of members of federally recognized Tribes, and helping to establish and expand marketing opportunities for arts and crafts produced by American Indians and Alaska Natives.

The Indian Arts and Crafts Act of 1990, Public Law 101–644 (hereinafter the ''1990 Act''), is essentially a truth-in-marketing law designed to prevent marketing of products misrepresented as produced by Indians when the products are not, in fact, made by an Indian as defined by the 1990 Act. Under Section 104(a) of the 1990 Act (18 U.S.C. 1159(c)(2)), ''the terms 'Indian product' and 'product of a particular Indian Tribe or Indian arts and crafts organization' have the meaning given such term in regulations which may be promulgated by the Secretary of the Interior.''

Under the 1990 Act's current implementing regulations, at 25 CFR Part 309, prior to these amendments, the term ''Indian product'' is defined as:

''(1) In general. ''Indian product'' means any art or craft product made by an Indian.

''(2) Illustrations. The term Indian product includes, but is not limited to:

(i) Art works that are in a traditional or non-traditional Indian style or medium;

(ii) Crafts that are in a traditional or non-traditional Indian style or medium;

(iii) Handcrafts, i.e. objects created with the help of only such devices as allow the manual skill of the maker to condition the shape and design of each individual product.

''(3) Exclusion for products made before 1935. The provisions of this part shall not apply to any art or craft products made before 1935.''

The above definition reflects the IACB's determination that ''Indian product'' under the 1990 Act applies to Indian arts and crafts, and not all products generally. This determination is consistent with the IACB organic legislation, the IACB's primary mission as established by Congress, and the Congressional intent of the 1990 Act. The 1935 cut-off date for products