

§ 701.14 Change in official or senior executive officer in credit unions that are newly chartered or are in troubled condition.

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- (b) * * *
- (3) * * *

(ii) Has been granted assistance as outlined under sections 208 or 216 of the Federal Credit Union Act.

(4) * * *

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PART 712—CREDIT UNION SERVICE ORGANIZATIONS (CUSOs)

6. The authority citation for part 712 continues to read as follows:

Authority: 12 U.S.C. 1756, 1757(5)(d) and (7)(I), 1766, 1782, 1784, 1785, and 1786.

7. Amend § 712.2 by revising paragraph (d) to read as follows:

§ 712.2 How much can an FCU invest in or loan to CUSOs, and what parties may participate?

* * * * *

(d) *Measurement for calculating regulatory limitation.* For purposes of paragraphs (a) and (b) of this section:

(1) *Paid-in and unimpaired capital and surplus* means shares plus post-closing, undivided earnings (this does not include regular reserves or special reserves required by law, regulation or special agreement between the credit union and its regulator or share insurer); and

(2) Total investments in and total loans to CUSOs will be measured consistent with GAAP.

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PART 715—SUPERVISORY COMMITTEE AUDITS AND VERIFICATIONS

8. Revise the authority citation for part 715 to read as follows:

Authority: 12 U.S.C. 1761(b), 1761d, 1782(a)(6).

9. Amend § 715.2(l) by revising the first sentence to read as follows:

§ 715.2 Definitions used in this part.

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(l) Supervisory committee refers to a supervisory committee as defined in Section 111(b) of the Federal Credit Union Act, 12 U.S.C. 1761(b). * * *

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PART 723—MEMBER BUSINESS LOANS

10. The authority citation for part 723 continues to read as follows:

Authority: 12 U.S.C. 1756, 1757, 1757A, 1766, 1785, 1789.

11. Amend § 723.4 by revising the second sentence to read as follows:

§ 723.4 What are the other applicable regulations?

* * * Except as required by part 741 of this chapter, federally insured state-chartered credit unions are not required to comply with the provisions of § 701.21(a) through (g).

PART 725—NATIONAL CREDIT UNION ADMINISTRATION CENTRAL LIQUIDITY FACILITY

12. The authority citation for part 725 continues to read as follows:

Authority: 12 U.S.C. 1795–1795f.

13. Amend § 725.2 by revising paragraph (o) to read as follows:

§ 725.2 Definitions.

* * * * *

(o) *Paid-in and unimpaired capital and surplus* means shares and deposits plus post-closing, undivided earnings. This does not include regular reserves or special reserves required by law, regulation or special agreement between the credit union and its regulator or share insurer.

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PART 790—DESCRIPTION OF NCUA; REQUESTS FOR AGENCY ACTION

14. The authority citation for part 790 continues to read as follows:

Authority: 12 U.S.C. 1766, 1789, 1795f.

15. Amend § 790.2(b)(13) by revising the heading to read as follows:

§ 790.2 Central and regional office organization.

* * * * *

(b) * * *

(13) Office of Credit Union Development. * * *

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[FR Doc. 01–15444 Filed 6–20–01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–ANE–25–AD]

Airworthiness Directives; General Electric Company (GE) CF6–45 and CF6–50 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed to revise an existing airworthiness directive (AD), applicable to GE CF6–45 and CF6–50 series turbofan engines. That action would have revised an existing AD to require the same inspections on reworked high pressure compressor (HPC) rear shafts as those HPC rear shafts covered by the current amendment. That proposal was prompted by the need to ensure that the additional reworked HPC rear shafts receive the same inspections as part numbers covered by the current amendment. Since that NPRM was issued, the FAA has determined that the repetitive inspections of reworked HPC rear shafts will instead be incorporated into the final rule, AD 2001–12–20, for a new design HPC air duct. Accordingly, the proposed rule is withdrawn.

FOR FURTHER INFORMATION CONTACT: Karen Curtis, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7192; fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to revise an existing AD, applicable to GE CF6–45 and CF6–50 series turbofan engines, was published in the **Federal Register** on October 12, 2000 (65 FR 60597). The proposed rule would have revised AD 91–10–03, R1, to add HPC rear shaft rework P/N's to the AD. That action was prompted by the need to ensure that the additional HPC rear shafts receive the same inspections as part numbers covered by the current amendment. The proposed actions were intended to detect and replace cracked HPC rear shafts, which, if not replaced, could lead to an uncontained engine failure.

The FAA received a comment that notes that a new effective date of the AD revision could be misconstrued and result in parts continuing in service without the required inspections, for longer than originally intended by the current AD.

The FAA agrees. Upon further consideration, the FAA has determined that the proposed addition of repetitive inspections of reworked HPC rear shafts will instead be incorporated into the final rule for a new design HPC air duct. The final rule for the new design air duct, AD 2001–12–20, requires that existing HPC rear shafts be reworked for compatibility with new design air ducts, inspected at the time of rework, and repetitively inspected at specified

intervals. As a result, revising 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 90-ANE-25-AD, published in the **Federal Register** on October 12, 2000, (65 FR 60597), is withdrawn.

Issued in Burlington, Massachusetts, on June 14, 2001.

Robert J. Ganley,

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 91

[Docket No. 26112; Notice No. 90-2]

RIN 2120-AD26

Sole Radio Navigation System; Minimum Standards for Certification

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Advance notice of proposed rulemaking (ANPRM); withdrawal.

SUMMARY: The Federal Aviation Administration (FAA or "we") is withdrawing a previously published ANPRM that sought information on the minimum standards for certification of a sole radio navigation system in aircraft conducting flight under instrument flight rules (IFR) en route, and in terminal area operations including nonprecision approach, in controlled airspace in the United States. The proposal was in response to a requirement of the Airport and Airway Safety and Capacity Expansion Act of

1987. We are withdrawing the document because the navigation issues set forth in the ANPRM have been superseded by new technology, and Flight Standards Service of the FAA is drafting a notice of proposed rulemaking (NPRM) which will encompass those issues that remain relevant and update the terminology of our general operating and flight rules.

EFFECTIVE DATE: The advance notice of proposed rulemaking published at 55 FR 2206 is withdrawn on June 21, 2001.

FOR FURTHER INFORMATION CONTACT: Bonnie Fritts, ARM-28, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7037.

SUPPLEMENTARY INFORMATION:

Background

On January 22, 1990, the FAA published ANPRM No. 90-2 (55 FR 2206) proposing amendments to 14 CFR part 91, in response to Section 310(c) of the Airport and Airway Safety and Capacity Expansion Act of 1987 (Public Law 100-223), which required that—

Not later than September 30, 1989, the Administrator shall establish by regulation minimum standards under which a radio navigation system may be certified as the sole radio navigation system required in an aircraft for operation in airspace in the United States.

The ANPRM invited public comment to aid the FAA in implementing the provisions of the law. The comment period closed on May 22, 1990.

Discussion of Comments

Aviation industry groups, manufacturers of navigation systems, and interested individuals responded to the notice with a total of 19 comments. Commenters agreed on the need for minimum standards for certification of navigation systems. While commenters were generally supportive of our proposed rulemaking, many requested additional enhancements to the proposal.

Air Transport Association (ATA) and Aerospace Industries Association (AIA), as well as individuals associated with the aviation industry, expressed concerns that satellite-based navigation systems, and other viable non-radio systems, be addressed by the standards. The aviation community's reliance on ground-based navigation systems was being encroached upon by new technologies, such as the Global Positioning Satellite (GPS) navigation system, providing more efficient use of airspace and an increase in flight safety.

Geostar Corporation and Litton Aero Products, manufacturers of navigation systems, also shared this concern that FAA recognize new technologies and not artificially limit technology growth with overly rigid standards. Years have passed since these comments were made and growth in navigation systems technology has continued to even further surpass radio navigation systems.

Several individual commenters expressed their desire that any system resulting from the minimum certification standards be affordable for individual pilots who are without the financial support of large organizations.

National Business Aircraft Association and ATA requested that FAA task the Radio Technical Commission for Aeronautics with developing the necessary documentation for the minimum standards.

Air Line Pilots Association expressed general support for the rulemaking proposal.

Commenters from all categories stated that definitions of terms in the ANPRM were not clear, some suggesting alternative definitions or the addition of terms like "testability," "sole means navigation system," and "precision approach." Aircraft Owners & Pilots Association (AOPA), Air Traffic Control Association, and AIA took issue, in particular, with the phrase "near 100%" in relation to reliability and availability measurement, requesting a more specific measurement to avoid confusion.

AIA and AOPA stated that results of FAA studies should be shared with readers and requested that those results be included in the final rule.

One individual commented that a particular proposed passage, § 91.205(g)(2)(i), was not necessary because operations "are already far too burdened by unjustified requirements."

The Illinois Department of Transportation asserted the GPS and Loran-C systems should be allowed to be used in "fly-direct" configuration, rather than "along the route to be flown," as the wording of § 91.33 (new § 91.205 (g)(2)(ii) states. While this comment and the preceding comment had relevance when originally submitted, they now serve as another illustration of justification for withdrawal—the regulatory action that has been superseded by events.

The ANPRM which we are withdrawing identifies the pertinent section of the Code of Federal Regulations most commonly as § 91.33 (new § 91.205). From today's perspective, § 91.33 has not existed in