

**DATES:** January 1, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Minh-Duc T. Le, Senior Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, at (202) 452-3667. For the users of Telecommunications Device for the Deaf ("TDD") only, contact (202) 263-4869.

**SUPPLEMENTARY INFORMATION:**

**I. Background:**

The Truth in Lending Act (TILA; 15 U.S.C. 1601 - 1666j) requires creditors to disclose credit terms and the cost of consumer credit as an annual percentage rate. The act requires additional disclosures for loans secured by a consumer's home, and permits consumers to cancel certain transactions that involve their principal dwelling. TILA is implemented by the Board's Regulation Z (12 CFR part 226). The Board's official staff commentary (12 CFR part 226 (Supp. I)) interprets the regulation, and provides guidance to creditors in applying the regulation to specific transactions.

In 1995, the Board published amendments to Regulation Z implementing HOEPA, contained in the Riegle Community Development and Regulatory Improvement Act of 1994, Pub. L. 103-325, 108 Stat. 2160 (60 FR 15463). These amendments, contained in §§ 226.32 and 226.34 of the regulation, impose substantive limitations and additional disclosure requirements on certain closed-end home mortgage loans bearing rates or fees above a certain percentage or amount. As enacted, the statute requires creditors to comply with the HOEPA rules if the total points and fees payable by the consumer at or before loan consummation exceed the greater of \$400 or 8 percent of the total loan amount. TILA and Regulation Z provide that the \$400 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index (CPI) that was reported on the preceding June 1. (15 U.S.C. 1602(aa)(3) and 12 CFR 226.32(a)(1)(ii)). The Board adjusted the \$400 amount to \$510 for the year 2005.

The Bureau of Labor Statistics publishes consumer-based indices monthly, but does not "report" a CPI change on June 1; adjustments are reported in the middle of each month. The Board uses the CPI-U index, which is based on all urban consumers and represents approximately 87 percent of the U.S. population, as the index for adjusting the \$400 dollar figure. The adjustment to the CPI-U index reported by the Bureau of Labor Statistics on May

15, 2005, was the CPI-U index "in effect" on June 1, and reflects the percentage increase from April 2004 to April 2005. The adjustment to the \$400 figure below reflects a 3.51 percent increase in the CPI-U index for this period and is rounded to whole dollars for ease of compliance.

**II. Adjustment and Commentary Revision**

Effective January 1, 2006, for purposes of determining whether a home mortgage transaction is covered by 12 CFR 226.32 (based on the total points and fees payable by the consumer at or before loan consummation), a loan is covered if the points and fees exceed the greater of \$528 or 8 percent of the total loan amount. Comment 32(a)(1)(ii)-2, which lists the adjustments for each year, is amended to reflect the dollar adjustment for 2006. Because the timing and method of the adjustment is set by statute, the Board finds that notice and public comment on the change are unnecessary.

**III. Regulatory Flexibility Analysis**

The Board certifies that this amendment will not have a substantial effect on regulated entities because the only change is to raise the threshold for transactions requiring HOEPA disclosures.

**List of Subjects**

*12 CFR Part 226*

Advertising, Federal Reserve System, Mortgages, Reporting and recordkeeping requirements, Truth in lending.

■ For the reasons set forth in the preamble, the Board amends Regulation Z, 12 CFR PART 226, as set forth below:

Part 226—TRUTH IN LENDING (REGULATION Z)

■ 1. The authority citation for part 226 continues to read as follows:

Authority: 12 U.S.C. 3806; 15 U.S.C. 1604 and 1637(c)(5).

■ 2. In Supplement I to Part 226, under Section 226.32—Requirements for Certain Closed-End Home Mortgages, under Paragraph 32(a)(1)(ii), paragraph 2. xi. is added.

SUPPLEMENT I TO PART 226—OFFICIAL STAFF INTERPRETATIONS  
\* \* \* \* \*

SUBPART E—SPECIAL RULES FOR CERTAIN HOME MORTGAGE TRANSACTIONS  
\* \* \* \* \*

Section 226.32—Requirements for Certain Closed-End Home Mortgages  
32(a) Coverage  
\* \* \* \* \*

Paragraph 32(a)(1)(ii)  
\* \* \* \* \*

2. Annual adjustment of \$400 amount.  
\* \* \* \* \*

xi. For 2006, \$528, reflecting a 3.51 percent increase in the CPI-U from June 2004 to June 2005, rounded to the nearest whole dollar.

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, acting through the Director of the Division of Consumer and Community Affairs under delegated authority, August 04, 2005.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 05-15723 Filed 8-8-05; 8:45 am]

**BILLING CODE 6210-01-S**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2005-21184; Directorate Identifier 2004-NM-111-AD; Amendment 39-14211; AD 2005-16-06]

RIN 2120-AA64

**Airworthiness Directives; Boeing Model 747 Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Boeing Model 747 airplanes. This AD requires modifying the inflation systems of the upper deck escape slides; single-piece off-wing escape ramps/slides; two-piece off-wing escape slides; and door 1, 2, 4, and 5 escape slides/rafts. This AD results from a report of 30- to 60-second delays in the inflation of escape slides/rafts. We are issuing this AD to prevent actuation delays in the inflation systems of the escape slides/rafts, which could result in delayed or failed deployment of escape slides/rafts during emergency evacuation of an airplane.

**DATES:** Effective September 13, 2005.

The Director of the **Federal Register** approved the incorporation by reference of certain publications listed in the AD as of September 13, 2005.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL-401, Washington, DC.

Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:**

Donald Wren, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6451; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:**

**Examining the Docket**

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

**Discussion**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to certain Boeing Model 747 airplanes. That NPRM was published in the **Federal Register** on May 12, 2005 (70 FR 24994). That NPRM proposed to require modifying the inflation systems of the upper deck escape slides; single-piece off-wing escape ramps/slides; two-piece off-wing escape slides; and door 1, 2, 4, and 5 escape slides/rafts.

**Comments**

We provided the public the opportunity to participate in the development of this AD. We have considered the comment that has been

received on the NPRM. The commenter supports the NPRM.

**Conclusion**

We have carefully reviewed the available data, including the comment that has been received, and determined that air safety and the public interest require adopting the AD as proposed.

**Costs of Compliance**

There are about 958 airplanes of the affected design in the worldwide fleet. This AD affects about 169 airplanes of U.S. registry. The actions in this AD take about 1 work hour per door, at an average labor rate of \$65 per work hour.

The following table provides the estimated costs for U.S. operators to comply with this AD.

ESTIMATED COSTS

Model	Work hours	Parts costs	Cost per air-plane	Number of U.S. registered planes	Fleet hours
747-100, -100B, -100B SUD, -200B, and -200C series airplanes, identified as Group 1 in Boeing Service Bulletin 747-25-3279.	12	\$34,832 (2 each: doors 1, 2, 4, 5, upper deck, and two-piece off-wing).	\$35,612	53	\$1,887,436
747-200B and -300 series airplanes, identified as Group 2 in Boeing Service Bulletin 747-25-3279.	8	\$26,368 (2 each: doors 1, 2, 4, and 5).	26,888	4	107,552
747-200B series airplanes, identified as Group 3 in Boeing Service 747-25-3279.	10	\$30,600 (2 each: doors 1, 2, 4, 5, and two-piece off-wing).	31,250	1	31,250
747-100, -100B, -100B SUD, -200B, 747SP, and 747SR series airplanes, identified as Group 4 in Boeing Service Bulletin 747-25-3279.	10	\$30,600 (2 each: doors 1, 2, 4, and 5, and upper deck).	31,250	17	531,250
747-200F and and -400F series airplanes, identified as Group 5 in Boeing Service Bulletin 747-25-3279.	2	\$4,232 (2 upper deck doors).	4,362	32	139,584
747-200B series airplanes, identified as Group 6 in Boeing Service Bulletin 747-25-3279.	2	\$4,232 (2 two-piece off-wing doors).	4,362	0	
747-400 and -400D series airplanes, identified in Boeing Service Bulletin Bulletin 747-25-3232.	2	\$8,250 (2 single-piece off-wing doors).	8,380	59	494,420
747-200B series airplanes, identified as Group 4 in Boeing Service Bulletin 747-25-3279 and also identified in Boeing Service Bulletin 747-25-3232.	10	\$30,600 (2 each: doors 1, 2, 4, 5, upper deck and single-piece off-wing).	31,250	3	93,750

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority

because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify that this AD:

(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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2005–16–06 Boeing:** Amendment 39–14211. Docket No. FAA–2005–21184; Directorate Identifier 2004–NM–111–AD.

**Effective Date**

(a) This AD becomes effective September 13, 2005.

**Affected ADs**

(b) None.  
*Applicability:* (c) This AD applies to the airplanes listed in Table 1 of this AD, certificated in any category.

TABLE 1.—APPLICABILITY

Boeing—	As identified in—
Model 747–100, –100B, –100B SUD, –200B, –200C, –200F, –300, –400F, 747SP, and 747SR series airplanes.	Boeing Service Bulletin 747–25–3279, Revision 1, dated July 11, 2002.
Model 747–200B, –200C, –300, –400, and –400D series airplanes .....	Boeing Service Bulletin 747–25–3232, dated July 6, 2000.

**Unsafe Condition**

(d) This AD was prompted by a report of 30- to 60-second delays in the inflation of escape slides/rafts. We are issuing this AD to prevent actuation delays in the inflation systems of the escape slides/rafts, which could result in delayed or failed deployment of escape slides/rafts during emergency evacuation of an airplane.

*Compliance:* (e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Modification for Upper Deck, Two-Piece Off-Wing, and Door 1, 2, 4, and 5 Slides and Slide/Rafts**

(f) For Model 747–100, –100B, –100B SUD, –200B, –200C, –200F, –300, –400F, 747SP, and 747SR series airplanes identified in Boeing Service Bulletin 747–25–3279, Revision 1, dated July 11, 2002: Within 36 months after the effective date of this AD, do the actions specified in paragraphs (f)(1) and (f)(2) of this AD, as applicable, in accordance with Boeing Service Bulletin 747–25–3279, Revision 1, dated July 11, 2002.

(1) Modify the inflation systems of the upper deck and two-piece off-wing escape slides.

(2) Modify the inflation systems of the door 1, 2, 4, and 5 escape slides/rafts, as applicable.

**Note 1:** Boeing Service Bulletin 747–25–3279 refers to Goodrich Service Bulletin 4A3037–25–327, dated November 30, 2001; Goodrich Service Bulletin 4A3056–25–331, dated December 21, 2001; and Goodrich Service Bulletin 4A3221–25–332, dated December 21, 2001; as additional sources of service information for doing the modifications.

**Modification for Single-Piece Off-Wing Ramp/Slides**

(g) For Model 747–200B, –200C, –300, –400, and –400D series airplanes identified in Boeing Service Bulletin 747–25–3232, dated July 6, 2000: Within 36 months after the effective date of this AD, modify the inflation system of the single-piece off-wing escape ramps/slides, in accordance with

Boeing Service Bulletin 747–25–3232, dated July 6, 2000.

**Note 2:** Boeing Service Bulletin 747–25–3232 refers to Goodrich Service Bulletin 4A3416–25–305, Revision 2, dated October 15, 2001, as an additional source of service information for doing the modification.

**Parts Installation**

(h) As of the effective date of this AD, unless the regulator assembly of the inflation system has been modified in accordance with paragraph (f) or (g) of this AD, as applicable, no person may install on any airplane a regulator assembly with any of the following part numbers (P/Ns): P/N 4A3047, –2, –3, –4, –5, –8, –9, or –10; P/N 4A3194–1, –2, –3, or –4; or P/N 4A3474–3.

**Credit for Previous Service Bulletin**

(i) Actions done before the effective date of this AD in accordance with Boeing Service Bulletin 747–25–3279, dated May 16, 2002, are acceptable for compliance with the corresponding requirements of paragraph (f) of this AD.

**Alternative Methods of Compliance (AMOCs)**

(j) The Manager, Seattle Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

**Material Incorporated by Reference**

(k) You must use Boeing Service Bulletin 747–25–3279, Revision 1, dated July 11, 2002; and Boeing Service Bulletin 747–25–3232, dated July 6, 2000; as applicable, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the **Federal Register** approved the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124–2207, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Room PL–401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National

Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741–6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on July 29, 2005.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 05–15584 Filed 8–8–05; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA–2005–20798; Directorate Identifier 2004–NM–257–AD; Amendment 39–14214; AD 2005–16–09]**

**RIN 2120–AA64**

**Airworthiness Directives; Learjet Model 23, 24, 25, 35, and 36 Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding an existing airworthiness directive (AD), which applies to certain Learjet Model 23, 24, 25, 35, and 36 airplanes. That AD currently requires repetitive inspections to detect deterioration of both flappers of the tip tank in each wing of the airplane, and various follow-on actions. The existing AD also requires replacing the flappers with new flappers, and repetitively performing certain other follow-on actions. This new AD requires an inspection of the flappers and flapper assemblies of the tip tank in each wing or a review of the