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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 702 and 723

RIN 3133-AE89

Commercial Lending

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is amending the definition of member business loan (MBL) in its MBL rule with respect to 1- to 4- family dwellings. This regulatory change conforms to a recent amendment to the Federal Credit Act (FCU Act) by the Economic Growth, Regulatory Relief, and Consumer Protection Act (Economic Growth Act).

DATES: This rule is effective June 5, 2018.

FOR FURTHER INFORMATION CONTACT: Justin M. Anderson, Senior Staff Attorney, Office of General Counsel, 1775 Duke Street, Alexandria, VA 22314-3428 or telephone (703) 518-6540.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Good Cause Exception
- III. Regulatory Procedures

I. Background

On May 24, 2018, the President signed the Economic Growth Act,¹ which among other things, amended the definition section of the MBL provisions of the FCU Act.² Prior to the Economic Growth Act, the FCU Act defined an MBL, in relevant part, as any loan, line of credit, or letter of credit, the proceeds of which will be used for a commercial, corporate or other business investment property or venture, or agricultural purpose but does not include an extension of credit that is fully secured

by a lien on a 1-to 4- family dwelling *that is the primary residence of a member.*³

The Economic Growth Act removed from that definition the words “that is the primary residence of a member.” As a result, the definition of an MBL now excludes all extensions of credit that are fully secured by a lien on a 1- to 4- family dwelling regardless of the borrower’s occupancy status. Because these kinds of loans are no longer considered MBLs, they do not count towards the aggregate MBL cap imposed on each federally insured credit union by the FCU Act.

This statutory amendment became effective upon enactment of the Economic Growth Act. The Board is issuing this final rule to conform the NCUA’s MBL rule to the revised FCU Act.

This final rule also revises the NCUA’s Prompt Corrective Action rule, part 702,⁴ by amending outdated citations to the NCUA’s MBL rule. These changes are technical in nature and will not have any substantive effect.

II. Good Cause Exception

The Board is issuing this rule as final, without having first provided notice and an opportunity for public comment because the NCUA for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest pursuant to the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(3)(B). This rule implements a mandated statutory change that provides the NCUA with no choice and no discretion. The Board finds these reasons are good cause to dispense with the APA’s notice and comment requirements.

III. Regulatory Procedures

1. Paperwork Reduction Act

In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) (PRA), the NCUA may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The information collection requirements associated with

part 723 are currently approved by OMB and assigned OMB control number 3133-0101. This rule will not impose any new paperwork burdens or amend existing paperwork burdens, as defined by the PRA.

2. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) provides generally for congressional review of agency rules. A reporting requirement is triggered in instances where the NCUA issues a final rule as defined by Section 551 of the APA. The NCUA believe this final rule is “major” within the meaning of the relevant sections of SBREFA. The NCUA has submitted the rule to the Office of Management and Budget for its determination in that regard.

3. Executive Order 13132

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests. The NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. The final rule does not have substantial direct effects 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. The NCUA has therefore determined that this final rule does not constitute a policy that has federalism implications for purposes of the executive order.

4. Assessment of Federal Regulations and Policies on Families

The NCUA has determined that this rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Public Law 105-277, 112 Stat. 2681 (1998).

List of Subjects

12 CFR Part 702

Credit unions, Reporting and recordkeeping requirements.

12 CFR Part 723

Credit, Credit unions, Reporting and recordkeeping requirements.

¹ Economic Growth, Regulatory Relief, and Consumer Protection Act, S.2155, 115th Cong. (2018).

² *Id.* at sec. 105.

³ 12 U.S.C. 1757a(c)(1)(B)(i).

⁴ 12 CFR part 702.

By the National Credit Union
Administration Board on May 30, 2018.

Gerard Poliquin,

Secretary of the Board.

For the reasons discussed above, the
NCUA amends 12 CFR parts 702 and
723 as follows:

PART 702—CAPITAL ADEQUACY

- 1. The authority citation for part 702
continues to read as follows:

Authority: 12 U.S.C. 1766(a), 1790d.

§ 702.104 [Amended]

- 2. In § 702.104, amend paragraphs (a),
(b), and (g) by removing the citation “12
CFR 723.1” and adding in its place “12
CFR 723.8(b)” and by removing the
citation “12 CFR 723.20” and adding in
its place “12 CFR 723.10” wherever
they appear.

PART 723—MEMBER BUSINESS LOANS; COMMERCIAL LENDING

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

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

- 4. In § 723.8, add paragraph (b)(3) and
revise paragraph (c) to read as follows:

§ 723.8 Aggregate member business loan limit; exclusions and exceptions.

* * * * *

(b) * * *

(3) Any loan that is fully secured by
a lien on a 1- to 4- family dwelling.

(c) *Exception.* Any loan secured by a
vehicle manufactured for household use
that will be used for a commercial,
corporate, or other business investment
property or venture, or agricultural
purpose, is not a commercial loan but it
is a member business loan (if the
outstanding aggregate net member
business loan balance is \$50,000 or
greater) and must be counted toward the
aggregate limit on a federally insured
credit union’s member business loans.

* * * * *

[FR Doc. 2018-11946 Filed 6-4-18; 8:45 am]

BILLING CODE 7535-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

**[Docket No. FAA-2017-1246; Product
Identifier 2017-NM-086-AD; Amendment
39-19297; AD 2018-11-09]**

RIN 2120-AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

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

ACTION: Final rule.

SUMMARY: We are superseding
Airworthiness Directive (AD) 2014-02-
01, which applied to certain
Bombardier, Inc., Model CL-600-2C10
(Regional Jet Series 700, 701, & 702),
Model CL-600-2D15 (Regional Jet
Series 705), and Model CL-600-2D24
(Regional Jet Series 900) airplanes. AD
2014-02-01 required repetitive
inspections of the rudder travel limiter
(RTL) return springs and primary
actuator, and corrective actions if
necessary; and replacement of certain
RTL return springs. This AD requires an
inspection of the RTL return springs for
signs of chafing; an inspection of the
casing of the primary actuator for signs
of chafing or missing paint; replacement
of the RTL return springs; and an
inspection of the lugs of the RTL limiter
arm assembly for cracks, and
modification or replacement, as
applicable; and applicable corrective
actions. This AD also adds airplanes to
the applicability. This AD was
prompted by reports that when
installing the RTL return springs, the
RTL limiter arm assembly lug(s) can
become deformed. We are issuing this
AD to address the unsafe condition on
these products.

DATES: This AD is effective July 10,
2018.

The Director of the Federal Register
approved the incorporation by reference
of a certain publication listed in this AD
as of July 10, 2018.

ADDRESSES: For service information
identified in this final rule, contact
Bombardier, Inc., 400 Côte-Vertu Road
West, Dorval, Québec H4S 1Y9, Canada;
Widebody Customer Response Center
North America toll-free telephone: 1-
866-538-1247 or direct-dial telephone:
1-514-855-2999; fax 514-855-7401;
email: ac.yul@aero.bombardier.com;
internet: <http://www.bombardier.com>.
You may view this referenced service
information at the FAA, Transport
Standards Branch, 2200 South 216th St.,

Des Moines, WA. For information on the
availability of this material at the FAA,
call 206-231-3195. It is also available
on the internet at <http://www.regulations.gov> by searching for
and locating Docket No. FAA-2017-
1246.

Examining the AD Docket

You may examine the AD docket on
the internet at <http://www.regulations.gov> by searching for
and locating Docket No. FAA-2017-
1246; or in person at the Docket
Management Facility between 9 a.m.
and 5 p.m., Monday through Friday,
except Federal holidays. The AD docket
contains this AD, the regulatory
evaluation, any comments received, and
other information. The address for the
Docket Office (telephone: 800-647-
5527) is Docket Management Facility,
U.S. Department of Transportation,
Docket Operations, M-30, West
Building Ground Floor, Room W12-140,
1200 New Jersey Avenue SE,
Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Cesar Gomez, Aerospace Engineer,
Airframe and Mechanical Systems
Section, FAA, New York ACO Branch,
1600 Stewart Avenue, Suite 410,
Westbury, NY 11590; telephone: 516-
228-7318; fax: 516-794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed
rulemaking (NPRM) to amend 14 CFR
part 39 to supersede AD 2014-02-01,
Amendment 39-17729 (79 FR 7382,
February 7, 2014) (“AD 2014-02-01”).
AD 2014-02-01 applied to certain
Bombardier, Inc., Model CL-600-2C10
(Regional Jet Series 700, 701, & 702),
Model CL-600-2D15 (Regional Jet
Series 705), and Model CL-600-2D24
(Regional Jet Series 900) airplanes. The
NPRM published in the **Federal
Register** on January 16, 2018 (83 FR
2090). The NPRM was prompted by
reports that when installing RTL return
spring part number BA-670-93468-1,
the RTL limiter arm assembly lug(s) can
become deformed when the RTL return
spring attachment bolt is torqued; and
the determination that additional
airplanes are affected by the unsafe
condition. The NPRM proposed to
require an inspection of the RTL return
springs for signs of chafing; an
inspection of the casing of the primary
actuator for signs of chafing or missing
paint; replacement of the RTL return
springs; and an inspection of the lugs of
the RTL limiter arm assembly for cracks,
and modification or replacement, as
applicable; and applicable corrective