deliveries of milk are received during the month at a distributing pool plant''; and in the second sentence, the words ''30 percent in the months of March, April, May, June, July, and December and 20 percent in other months of'', and the word ''distributing''.

Statement of Consideration

This rule suspends certain portions of the pool plant and producer definitions of the Eastern Colorado order. The suspension will make it easier for handlers to qualify milk for pooling under the order.

The suspension was requested by Mid-America Dairymen, Inc. (Mid-Am), a cooperative association that has pooled milk of dairy farmers on the Eastern Colorado order for several years. Mid-Am requested the suspension to prevent the uneconomic and inefficient movement of milk for the sole purpose of pooling the milk of producers who have been historically associated with the Eastern Colorado order.

Mid-Am and Western Dairymen Cooperative, Inc. (WDCI) filed comments in support of the suspension. Mid-Am asserts that they have made a commitment to supply the fluid milk requirements of distributing plants if the suspension request is granted. Without the suspension action, to qualify certain of its milk for pooling, it would be necessary for the cooperative to ship milk from distant farms to Denver-area bottling plants. The distant milk would displace milk produced on nearby farms that would then have to be shipped from the Denver area to manufacturing plants located in outlying areas. WDCI further reiterates the need for the suspension to assure continued pooling of producers associated with the market and to prevent such uneconomic milk movements.

Both Mid-Am and WDCI requested continuation of the suspension beyond the time period noticed in the proposed suspension. Both cooperatives expressed a desire to have the suspension extend until the Federal order reform process under the Federal Agriculture Improvement and Reform Act of 1996 is implemented.

For the months of September 1997 through February 1999, the restriction on the months when automatic pool plant status applies for supply plants will be removed. For the months of September 1997 through August 1999, the touch-base requirement will not apply and the diversion allowance for cooperatives will be raised.

These provisions have been suspended for several years to maintain the pool status of producers who have historically supplied the fluid needs of Eastern Colorado distributing plants. The marketing conditions which justified the prior suspensions continue to exist. There are ample supplies of locally produced milk that can be delivered directly from farms to distributing plants to meet the market's fluid needs without requiring shipments from supply plants.

Since the suspension has been granted on a continual basis since 1985, and the marketing conditions that originally warranted the suspension continue to exist, it is found appropriate to extend the suspension period from 1998 to 1999.

This suspension is found to be necessary for the purpose of assuring that producers' milk will not have to be moved in an uneconomic and inefficient manner to ensure that producers whose milk has long been associated with the Eastern Colorado marketing area will continue to benefit from pooling and pricing under the order.

List of Subjects in 7 CFR Part 1137

Milk marketing orders.

For the reasons set forth in the preamble 7 CFR Part 1137, is amended as follows:

PART 1137—MILK IN THE EASTERN COLORADO MARKETING AREA

1. The authority citation for 7 CFR Part 1137 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§ 1137.7 [Suspended in Part]

2. In § 1137.7(b), the second sentence is amended by suspending the words ''plant which has qualified as a'' and ''of March through August'' from September 1, 1997, through February 28, 1999.

§ 1137.12 [Suspended in part]

3. In § 1137.12(a)(1), the first sentence is amended by suspending the words ''from whom at least three deliveries of milk are received during the month at a distributing pool plant'' from September 1, 1997, through August 31, 1999.

4. In § 1137.12(a)(1), the second sentence is amended by suspending the words ''30 percent in the months of March, April, May, June, July, and December and 20 percent in other months of'', and the word ''distributing'' from September 1, 1997, through August 31, 1999.

Dated: June 27, 1997.

Michael V. Dunn,

Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 97–17508 Filed 7–2–97; 8:45 am]

BILLING CODE 3410–02–P

FEDERAL HOUSING FINANCE BOARD

12 CFR Part 902

[No. 97–42]

RIN 3069–AA51

Procedure For Imposing Assessments on the FHLBanks

AGENCY: Federal Housing Finance Board.

ACTION: Final rule.

SUMMARY: The Federal Housing Finance Board (Finance Board) is amending its procedure for imposing semiannual assessments on the Federal Home Loan Banks (FHLBanks) as part of the conversion of Finance Board operations from the calendar year to the federal fiscal year.

EFFECTIVE DATE: The final rule will become effective August 4, 1997.

FOR FURTHER INFORMATION CONTACT: John C. Waters, Associate Director, Office of Resource Management, 202/408–2860, or Janice A. Kaye, Attorney-Advisor, Office of General Counsel, 202/408–2505, Federal Housing Finance Board, 1777 F Street, N.W., Washington, D.C. 20006.

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Background

Under section 18(b)(1) of the Federal Home Loan Bank Act (Bank Act), the Finance Board has the authority to impose a semiannual assessment on the FHLBanks in an amount sufficient to provide for the payment of the Finance Board's estimated expenses for the period covered by the assessment. *See* 12 U.S.C. 1438(b)(1). Section 18(b)(3) of the Bank Act requires the Finance Board to offset the amount of the current semiannual assessment by any amount it determines is remaining from a previous assessment. *See id.* 1438(b)(2).

In 1993, The Finance Board by regulation implemented its authority to assess the FHLBanks. *See* 58 FR 19195 (Apr. 13, 1993), codified at 12 CFR 902.2. The current rule requires the Finance Board to adopt an annual budget of expenses for each calendar year and authorizes the Finance Board to impose two semiannual assessments on the FHLBanks in each calendar year to pay its approved expenses. *See* 12 CFR 902.2. The current rule also establishes the procedure the Finance Board follows when imposing an assessment on the FHLBanks. *See id.*

Effective October 1, 1997, the Finance Board will transfer responsibility for operational support of its accounting and personnel systems from the Office of Thrift Supervision (OTS) to the

Department of Agriculture's National Finance Center (NFC). Unlike the OTS, the NFC operates according to the federal fiscal year, which spans a 12-month period beginning October 1 and ending September 30. Thus, the Finance Board must convert its operations from a calendar to a federal fiscal year basis. One of the changes necessary to complete the Finance Board's conversion from a calendar to a federal fiscal year is an amendment to the Finance Board regulation concerning FHLBank assessments to reflect a fiscal year cycle. The Finance Board is also amending the regulation to clarify the procedures it will follow when making an assessment on the FHLBanks.

II. Analysis of the Final Rule

In accordance with section 18(b)(1) of the Bank Act, § 902.2(a) of the final rule authorizes the Finance Board to impose assessments on the FHLBanks to pay its expenses. *See* 12 U.S.C. 1438(b)(1); 12 CFR 902.2(a). More specifically, § 902.2(a) of the final rule authorizes the Finance Board to impose a semiannual assessment on the FHLBanks in an aggregate amount it determines to be sufficient to pay its estimated expenses for the period covered by the assessment.

Section 902.2(b) of the final rule establishes the procedure for imposing assessments on the FHLBanks. In order to effect the changeover from a calendar to a federal fiscal year, paragraph (b)(1) of the final rule requires the Finance Board, at or near the end of each fiscal year, to approve an annual budget of Finance Board expenses for the following fiscal year and to provide promptly a copy of the approved budget to each Bank president. Under the current rule, the Finance Board must approve its budget of expenses near the end of, and for the next, calendar year. *See* 12 CFR 902.2(b).

Paragraph (b)(2) of the final rule combines provisions that appear currently in §§ 902.2(c), (d), and (f). *See id.* §§ 902.2(c), (d), (f). Like § 902.2(c) of the current rule, paragraph (b)(2) requires the Finance Board to assess the FHLBanks semiannually in an aggregate amount sufficient to meet the Finance Board's administrative and operating expenses. *See id.* § 902.2(c). As under § 902.2(d) of the current rule, the final rule requires the Finance Board to offset a current semiannual assessment by any amount the Finance Board determines is remaining from a previous assessment. *See id.* § 902.2(d). Since the source of revenue is irrelevant in determining whether any amount remains from a previous assessment, the Finance Board has eliminated the provision concerning revenues received from subleasing portions of its office building. *See id.* § 902.2(d)(1). Similar to § 902.2(f) of the current rule, paragraph (b)(2) of the final rule requires the Finance Board to notify promptly each FHLBank president in writing of the amount of any assessment. *See id.* § 902.2(f).

Paragraph (b)(3) of the final rule combines provisions that appear currently in §§ 902.2(e) and (g). *See id.* §§ 902.2(e), (g). Like § 902.2(e) of the current rule, paragraph (b)(3) of the final rule requires each FHLBank to pay a *pro rata* share of any assessment imposed by the Finance Board. *See id.* § 902.2(e). Both the current and final rules require the Finance Board to calculate each FHLBank's *pro rata* share based on the ratio between the total paid-in value of that FHLBank's capital stock relative to the aggregate total paid-in value of the capital stock of every FHLBank. *See id.* Similar to § 902.2(g) of the current rule, the final rule requires the Finance Board to notify promptly each Bank in writing of the amount of its *pro rata* share of any assessment. *See id.* § 902.2(g).

Although every FHLBank remits its *pro rata* share of each assessment to the Finance Board in equal monthly installments, under § 902.2(h) of the current rule, a monthly payment schedule is not mandatory. *See id.* § 902.2(h). To reflect current practice, paragraph (b)(4) of the final rule requires each FHLBank to pay its *pro rata* share in equal monthly installments during the semiannual period covered by the assessment unless otherwise instructed in writing by the Finance Board.

III. Notice and Public Participation

The notice and comment procedure required by the Administrative Procedure Act is inapplicable to this final rule because it is a rule of agency procedure. *See* 5 U.S.C. 553(b)(3)(A).

IV. Regulatory Flexibility Act

The Finance Board is adopting this technical amendment in the form of a final rule and not as a proposed rule. Therefore, the provisions of the Regulatory Flexibility Act do not apply. *See id.* 601(2), 603(a).

V. Paperwork Reduction Act

This final rule does not contain any collections of information pursuant to the Paperwork Reduction Act of 1995. *See* 44 U.S.C. 3501 *et seq.* Consequently, the Finance Board has not submitted any information to the Office of Management and Budget for review.

List of Subjects in 12 CFR Part 902

Administrative practice and procedure, Assessments, Federal home loan banks, Government contracts, Minority businesses, Mortgages, Reporting and recordkeeping requirements.

Accordingly, the Federal Housing Finance Board hereby amends title 12, chapter IX, part 902 of the Code of Federal Regulations as follows:

PART 902—OPERATIONS

1. Revise the authority citation for part 902 to read as follows:

Authority: 12 U.S.C. 1422b and 1438(b).

2. Revise § 902.2 to read as follows:

§ 902.2 Assessments on the Banks.

(a) *Assessment authority.* The Finance Board may impose a semiannual assessment on the Banks in an aggregate amount the Finance Board determines is sufficient to provide for the payment of its estimated expenses for the period for which it makes such assessment.

(b) *Assessment procedure.* (1) At or near the end of each fiscal year, the Finance Board shall approve an annual budget of Finance Board expenses for the next fiscal year. The Finance Board shall promptly provide a copy of the approved budget to each Bank president.

(2) The Finance Board shall assess the Banks semiannually in an aggregate amount it determines is sufficient to pay the expenses approved under paragraph (b)(1) of this section. The Finance Board shall offset the amount of the semiannual assessments it imposes on the Banks by any amount it determines is remaining from previous semiannual assessments. The Finance Board shall promptly notify each Bank president in writing of the amount of any assessment.

(3) Each Bank shall pay a *pro rata* share of the semiannual assessments imposed under paragraph (b)(2) of this section. The Finance Board shall calculate each Bank's *pro rata* share based on the ratio between the total paid-in value of the Bank's capital stock and the aggregate total paid-in value of the capital stock of every Bank. The Finance Board shall promptly notify each Bank in writing of the amount of its *pro rata* share of any semiannual assessment.

(4) Unless otherwise instructed in writing by the Finance Board, each Bank shall pay to the Finance Board its *pro rata* share of an assessment in equal monthly installments during the semiannual period covered by the assessment.

By the Board of Directors of the Federal Housing Finance Board.

Bruce A. Morrison,

Chairperson.

[FR Doc. 97–17446 Filed 7–2–97; 8:45 am]

BILLING CODE 6725–01–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–17–AD; Amendment 39–10066, AD 97–14–08]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace Corporation Model G–159 (G–I) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Gulfstream Model G–159 (G–I) airplanes, that currently requires repetitive inspections to detect cracks and loose rivets in the forward brackets for the main landing gear (MLG) uplock beam assembly, and replacement of the brackets, if necessary. This amendment requires installation of redesigned brackets that preclude the potential for cracking and loose rivets, when accomplished, this installation constitutes terminating action for the currently required inspections. This amendment is prompted by the development of an installation that will positively address the identified unsafe condition. The actions specified by this AD are intended to prevent failure of the bracket for the MLG uplock beam assembly due to cracking and loose rivets; such failure could result in the inability to retract the MLG.

DATES: Effective August 7, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 7, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Gulfstream Aerospace Corporation, Technical Operations Department, P.O. Box 2206, M/S D–10, Savannah, Georgia 31402–2206. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, Airframe and Propulsion Branch, ACE–117A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7362; fax (404) 305–7348.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 66–10–03, amendment 39–222 (31 FR 5660, April 12, 1966), which is applicable to certain Gulfstream Model G–159 (G–I) airplanes, was published in the **Federal Register** on March 6, 1997 (62 FR 10237). The action proposed to require repetitive dye penetrant and visual inspections to detect cracks and loose rivets in the forward brackets of the main landing gear (MLG) uplock beam assembly, and replacement of the brackets, if necessary. It also proposed to require that the currently-installed brackets be replaced with improved brackets. Once this replacement is accomplished, the previously required inspections may be terminated.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 146 Gulfstream Model G–159 airplanes of the affected design in the worldwide fleet. The FAA estimates that 72 airplanes of U.S. registry will be affected by this AD.

The inspections that are currently required by AD 66–10–03 take approximately 2 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be $8,640, or $120 per airplane, per inspection.

The terminating replacement that is required by this AD action will take approximately 12 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will cost approximately $425 per airplane. Based on these figures, the cost impact of the requirements of this AD on U.S. operators is estimated to be $82,440, or $1,145 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulation adopted herein will 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. Therefore, in accordance with Executive Order 12612, it is determined that his final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action: (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. A final evaluation has been prepared for this action and it is contained in the rules docket. A copy of it may be obtained from the rules docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by removing amendment 39–222 (31 FR 5660, April 12, 1966), and by adding a