

## SUPPLEMENTARY INFORMATION:

**I. Statutory and Regulatory Background**

Subject to the approval of the Finance Board, section 12(a) of the Federal Home Loan Bank Act (Bank Act) authorizes the board of directors of each FHLBank to "prescribe, amend, and repeal by-laws, rules, and regulations governing the manner in which its affairs may be administered." 12 U.S.C. 1432(a). Currently, no Finance Board regulation or policy addresses specifically the process by which the Finance Board evaluates and approves FHLBank bylaws or amendments thereto.

From the establishment of the Finance Board in 1989 until the present, Finance Board staff has reviewed proposed FHLBank bylaws and bylaws amendments to ensure that they are consistent with applicable statutes, regulations, and Finance Board policies. Pursuant to delegated authority, the Associate Director of the former District Banks Secretariat, and, after that position and office were eliminated, the Managing Director of the Finance Board, approved FHLBank bylaws or bylaws amendments upon the recommendation of staff. See Federal Home Loan Bank Board Resolution No. 21,526 (Apr. 4, 1968) (rescinded by Finance Board Resolution No. 97-76 (Dec. 1, 1997)); Finance Board Chairperson's Order No. 95-OR-6 (Oct. 10, 1995).

The Finance Board believes the FHLBanks should have broad discretion to manage their affairs, including the authority to approve bylaws and amendments thereto. Accordingly, as part of the Finance Board's continuing effort to devolve management and governance responsibilities to the FHLBanks, the interim final rule transfers the authority to approve FHLBank bylaws and bylaws amendments, subject to certain conditions, from the Finance Board to the boards of directors of the FHLBanks.

**II. Analysis of the Interim Final Rule**

The Finance Board is proposing to add a new section, designated as § 934.16, to its regulation on FHLBank operations. Section 934.16 devolves responsibility for approving FHLBank bylaws and amendments thereto, subject to certain conditions, from the Finance Board to the boards of directors of the FHLBanks. The rule authorizes the board of directors of each FHLBank to prescribe, amend, or repeal bylaws governing the manner in which the FHLBank administers its affairs without the prior approval of the Finance Board provided that the bylaws or bylaws amendments are consistent with

applicable statutes, regulations, and Finance Board policies. The Finance Board will ensure that FHLBank bylaws are legally unobjectionable through the examination process.

**III. Notice and Public Participation**

The Finance Board finds that the notice and comment procedure required by the Administrative Procedure Act is unnecessary, impracticable, and contrary to the public interest in this instance because the change made by the interim final rule is technical in nature and applies only to the FHLBanks. See 5 U.S.C. 553(b)(3)(B). Nevertheless, because the Finance Board believes public comments aid in effective rulemaking, it will accept written comments on the interim final rule on or before January 12, 1998.

**IV. Regulatory Flexibility Act**

The Finance Board is adopting this amendment to part 934 in the form of an interim final rule and not as a proposed rule. Therefore, the provisions of the Regulatory Flexibility Act do not apply. See 5 U.S.C. 601(2), 603(a).

**V. Paperwork Reduction Act**

This interim 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 934**

Federal home loan banks, Securities, Surety bonds.

Accordingly, the Federal Housing Finance Board hereby amends part 934, chapter IX, title 12 of the Code of Federal Regulations as follows:

**PART 934—OPERATIONS OF THE BANKS**

1. Revise the authority citation for part 934 to read as follows:

**Authority:** 12 U.S.C. 1422a, 1422b, 1431(g), 1432(a), and 1442.

2. Add § 934.16 to read as follows:

**§ 934.16 Approval of Bank bylaws.**

The board of directors of a Bank may prescribe, amend, or repeal bylaws governing the manner in which the Bank administers its affairs without the Board's prior approval provided that the bylaws or amendments are consistent with applicable statutes, regulations, and Board policies.

Dated: December 3, 1997.

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

**Bruce A. Morrison,**  
Chairperson.

[FR Doc. 97-32207 Filed 12-10-97; 8:45 am]

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

[Docket No. 97-SW-46-AD; Amendment 39-10240; AD 97-20-13]

RIN 2120-AA64

**Airworthiness Directives; Eurocopter Deutschland Model EC135 P1 and T1 Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 97-20-13 which was sent previously to all known U.S. owners and operators of Eurocopter Deutschland Model EC135 P1 and T1 helicopters by individual letters. This amendment is prompted by the discovery of cracks on the stator blades of the fenestron tail rotor (tail rotor). The actions specified by this AD are intended to prevent failure of the tail rotor and subsequent loss of control of the helicopter.

**DATES:** Effective December 29, 1997, to all persons except those persons to whom it was made immediately effective by priority letter AD 97-20-13, issued on September 25, 1997, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before February 9, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-46-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5116, (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** On September 25, 1997, the FAA issued priority letter AD 97-20-13, applicable to Eurocopter Deutschland Model

EC135 P1 and T1 helicopters, which requires immediate and daily repetitive inspections of the stator blades for cracks in the stator hub area. If this visual inspection reveals a crack, a dye-penetrant inspection is required. Also, within 400 hours time-in-service (TIS) after the effective date of this AD, and thereafter, at intervals not to exceed 400 hours TIS, a dye-penetrant inspection for cracks is required. If any of the inspections reveal cracked stator blades, each crack must be stop-drilled. If any of the inspections reveal cracks on a stator blade with a total crack length of 15mm or longer, or if cracks are found on more than 3 stator blades, the affected blades must be replaced with airworthy blades prior to further flight. That action was prompted by the discovery of cracks on the stator blades of the tail rotor. This condition, if not corrected, could result in failure of the tail rotor and subsequent loss of control of the helicopter.

Since the unsafe condition described is likely to exist or develop on other Eurocopter Deutschland Model EC135 P1 and T1 helicopters of the same type design, the FAA issued priority letter AD 97-20-13 to prevent failure of the tail rotor and subsequent loss of control of the helicopter. The AD requires, before further flight, and thereafter, before the first flight of each day, visually inspecting the stator blades in the stator hub area. If this visual inspection reveals a crack, a dye-penetrant inspection is required. Also, within 400 hours TIS after the effective date of this AD, and thereafter, at intervals not to exceed 400 hours TIS, a dye-penetrant inspection for cracks is required. If any of the inspections reveal cracked stator blades, each crack must be stop-drilled. If any of the inspections reveal cracks on a stator blade with a total crack length of 15mm or longer, or if cracks are found on more than 3 stator blades, the affected stator blades must be replaced with airworthy stator blades prior to further flight.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on September 25, 1997 to all known U.S. owners and operators of Eurocopter Deutschland Model EC135 P1 and T1 helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-SW-46-AD." The postcard will be date stamped and returned to the commenter.

The regulations 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 this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44

FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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, 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 adding a new airworthiness directive to read as follows:

#### 97-20-13—Eurocopter Deutschland:

Amendment 39-10240. Docket No. 97-SW-46-AD.

**Applicability:** Model EC135 P1 and T1 helicopters, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent failure of the tail rotor and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, and thereafter before the first flight of each day, visually inspect all stator blades in the stator hub area for cracks (see Figure 1). Inspect the stator blades in the areas where they are riveted to

the stator hub. Pay particular attention to the radius areas where the stator blade base attaches to the stator hub.

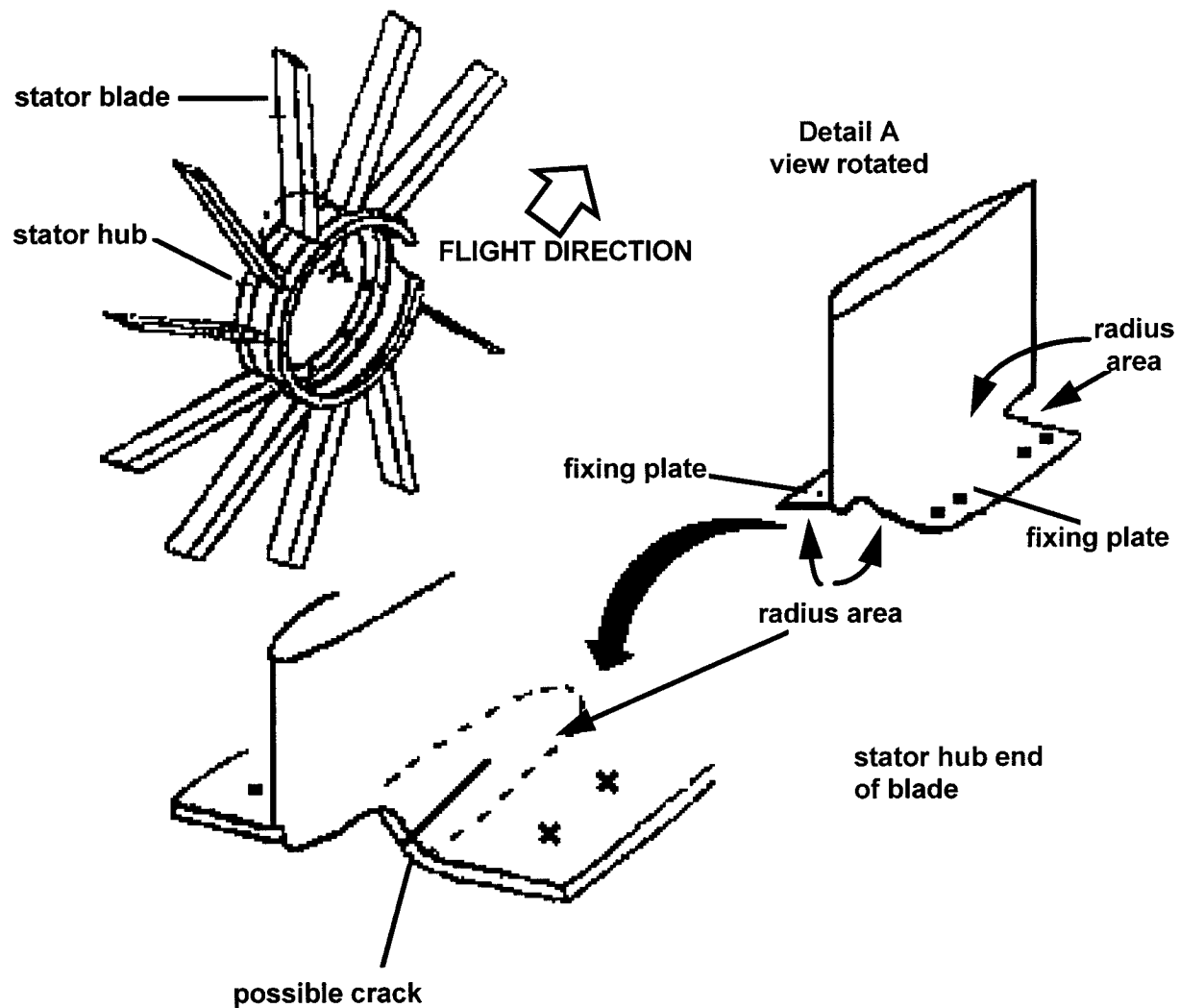
(1) If the inspection reveals a crack at the base of a stator blade, remove the paint from

the area and perform a dye-penetrant inspection.

(2) If the inspection reveals 3 or less cracked stator blades and a total crack length

per stator blade of less than 15mm, stop-drill each crack with a 2mm diameter drill.

BILLING CODE 4910-13-P



**Criteria:**

1. Maximum 3 stator blades with cracks allowed.
2. The total length of all cracks on each blade must not exceed 15 mm.

**Inspection of the stator blades  
Figure 1**

(b) Within 400 hours time-in-service (TIS), and thereafter, at intervals not to exceed 400 hours TIS, remove the paint from all stator blades in the stator hub area and perform a dye-penetrant inspection for cracks.

(c) If the inspections reveal cracks on any stator blade with a total crack length of 15mm or longer, or if more than 3 stator blades are cracked, remove the affected stator blades and replace them with airworthy stator blades before further flight. The inspections required by this AD must continue to be performed on all stator blades including replacement stator blades.

**Note 2:** Eurocopter Deutschland Alert Service Bulletin No. EC 135-53A-001, Revision 01, dated August 8, 1997, pertains to this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(e) Special flight permits will not be issued.

(f) This amendment becomes effective on December 29, 1997, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 97-20-13, issued September 25, 1997, which contained the requirements of this amendment.

**Note 4:** The subject of this AD is addressed in Luftfahrt-Bundesamt (Germany) AD 97-249, effective September 25, 1997.

Issued in Fort Worth, Texas, on December 2, 1997.

**Eric Bries,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 97-32255 Filed 12-10-97; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-AGL-31]

RIN 2120-AA66

#### Amendment of Legal Descriptions of Jet Routes and Federal Airways in the Vicinity of Indianapolis, IN

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the legal descriptions of three jet routes and thirteen Federal airways that include the Indianapolis Very High Frequency

Omnidirectional Range/Tactical Air Navigation (VORTAC) as part of their route structure. Currently, the Indianapolis VORTAC and the Indianapolis International Airport share the "Indianapolis" name even though they are not collocated. This situation has led to confusion among users. To eliminate this confusion, the Indianapolis VORTAC will be renamed "Brickyard VORTAC." The effective date of this name change will coincide with this rulemaking action. This action amends the legal descriptions of those jet routes and airways affected by the VORTAC's name change.

**EFFECTIVE DATE:** 0901 UTC, February 26, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Steve Brown, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### The Rule

This action amends 14 CFR part 71 by amending the legal descriptions of three jet routes and thirteen Federal airways that have "Indianapolis VORTAC" included as part of their route structure. Currently, the Indianapolis VORTAC and the Indianapolis International Airport share the "Indianapolis" name even though the VORTAC is approximately 7 nautical miles (NM) northwest of the airport. This situation has led to confusion among users because the VORTAC and the airport are not collocated. To eliminate this confusion, the Indianapolis VORTAC will be renamed "Brickyard VORTAC." The effective date changing the name of the VORTAC will coincide with this rulemaking action. As a result of the VORTAC's name change, this rule will amend all jet routes and airways with "Indianapolis VORTAC" included as part of their legal descriptions.

Since this action merely involves changes in the legal description of jet routes and Federal airways, and does not involve a change in the dimensions or operating requirements of that airspace, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Jet routes and domestic VOR Federal airways are published in paragraph 2004 and paragraph 6010(a), respectively, of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The jet routes and airways listed in this document will be published subsequently in the Order.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### §71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

##### Paragraph 2004—Jet Routes

\* \* \* \* \*

##### J-24 [Revised]

From Myton, UT, to Hayden, CO. From Hugo, CO, Hays, KS; via Salina, KS; Kansas City, MO; St. Louis, MO; Brickyard, IN; Falmouth, KY; Charleston, WV; Montebello, VA; Flat Rock, VA; to Harcum, VA.

\* \* \* \* \*

##### J-80 [Revised]

From Oakland, CA; via Manteca, CA; Coaldale, NV; Wilson Creek, NV; Milford, UT; Grand Junction, CO; Red Table, CO; Falcon, CO; Goodland, KS; Hill City, KS; Kansas City, MO; Capital, IL; Brickyard, IN; Bellaire, OH; INT Bellaire 090° and East