

2. The heading of appendix A to part 2634 is revised to read as follows:

Appendix A to Part 2634—Certificate of Independence (Form Approved: OMB Control No. 3209-0007)

3. The text of appendix A to part 2634 is amended by removing the block of text “Approved by _____ Director, Office of Government Ethics Date _____” immediately before the Note.

4. The heading of appendix B to part 2634 is revised to read as follows:

Appendix B to Part 2634—Certificate of Compliance (Form Approved: OMB Control No. 3209-0007)

5. Appendix C to part 2634 is amended by revising the subheading and text following the final paragraph, numbered (7), of the Privacy Act Statement to read as follows:

Appendix C to Part 2634—Privacy Act and Paperwork Reduction Act Notices for Appendixes A and B

* * * * *

Public Burden Information and Paperwork Reduction Act Statement

This collection of information is estimated to take an average of twenty minutes per response. You can send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Associate Director for Administration, U.S. Office of Government Ethics, Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917. *Do not* send your completed certificate to that official; rather, send it to the Director of the Office of Government Ethics at that address as provided in the part 2634 regulation.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0007, is displayed here and in the headings of the OGE model qualified trust certificates of independence and compliance, appendixes A and B to this part 2634).

[FR Doc. 98-29309 Filed 10-30-98; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Parts 208, 211, 215, 225, 262, 263, and 265

[Regulations H, K, O, and Y; Docket No. R-1021]

Membership of State Banking Institutions in the Federal Reserve System; International Banking Operations; Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks; Bank Holding Companies and Change in Bank Control; Rules of Practice for Hearings; and Rules Regarding Delegation of Authority

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Final rule; technical amendments.

SUMMARY: The Board published an amendment to Regulation H (Membership of State Banking Institutions in the Federal Reserve System) that appeared in the **Federal Register** on July 13, 1998. This document corrects cross references to Regulation H that appear in Regulations H, K, O, Y, the Rules of Practice for Hearings, and the Rules Regarding Delegation of Authority (Parts 208, 211, 215, 225, 262, 263, and 265).

EFFECTIVE DATE: November 2, 1998.

FOR FURTHER INFORMATION CONTACT: Jean Anderson, Staff Attorney, Legal Division (202/452-3707). For the hearing impaired only, Telecommunications Device for the Deaf (TDD), Diane Jenkins (202/452-3544).

SUPPLEMENTARY INFORMATION:

Background

The Board published amendments to Regulation H (12 CFR part 208) in the **Federal Register** on July 13, 1998 (63 FR 37629), in order to reorganize, clarify, and reduce the burden of compliance with Subpart A of Regulation H. This document corrects cross references to Regulation H that appear in Regulations H, K, O, Y, the Rules of Practice for Hearings and the Rules Regarding Delegation of Authority (parts 208, 211, 215, 225, 262, 263, and 265).

List of Subjects

12 CFR Part 208

Accounting, Agriculture, Banks, banking, Confidential business information, Crime, Currency, Federal Reserve System, Mortgages, Reporting and recordkeeping requirements, Securities.

12 CFR Part 211

Exports, Federal Reserve System, Foreign banking, Holding companies, Investments, Reporting and recordkeeping requirements.

12 CFR Part 215

Credit, Federal Reserve System, Penalties, Reporting and recordkeeping requirements.

12 CFR Part 225

Administrative practice and procedure, Banks, banking, Federal Reserve System, Holding companies, Reporting and recordkeeping requirements, Securities.

12 CFR Part 262

Administrative practice and procedure, Federal Reserve System.

12 CFR Part 263

Administrative practice and procedure, Claims, Crime, Equal access to justice, Federal Reserve System, Lawyers, Penalties.

12 CFR Part 265

Authority delegations (Government agencies), Banks, banking, Federal Reserve System.

For the reasons set forth in the preamble, the Board is amending parts 208, 211, 215, 225, 262, 263, and 265 in chapter II of title 12 of the Code of Federal Regulations as follows:

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM (REGULATION H)

1. The authority citation for part 208 continues to read as follows:

Authority: 12 U.S.C. 24, 36, 92a, 93a, 248(a), 248(c), 321-338a, 371d, 461, 481-486, 601, 611, 1814, 1816, 1818, 1823(j), 1828(o), 1831o, 1831p-1, 1831r-1, 1835a, 1882, 2901-2907, 3105, 3310, 3331-3351, and 3906-3909; 15 U.S.C. 78b, 78l(b), 78l(g), 78l(i), 78o-4(c)(5), 78q, 78q-1, and 78w; 31 U.S.C. 5318; 42 U.S.C. 4012a, 4104a, 4104b, 4106 and 4128.

2. In § 208.3, paragraph (c)(1)(ii) is amended by adding the acronym “CAMELS,” after the word “received.”

3. Section 208.3 is amended by revising the last sentence in paragraph (d)(1) to read as follows:

§ 208.3 Application and conditions for membership in the Federal Reserve System.

* * * * *

(d) * * *

(1) * * * (The Interagency Guidelines Establishing Standards for Safety and Soundness and Year 2000 Standards for Safety and Soundness prescribed pursuant to section 39 of the FDI Act (12

U.S.C. 1831p-1), as set forth in appendices D-1 and D-2 to this part, apply to all member banks.)

* * * * *

§ 208.6 [Amended]

4. In § 208.6, paragraph (c)(1)(ii) is amended by adding the acronym "CAMELS," on the third line after the word "received."

5. In Appendix A to part 208, the following amendments are made:

a. Section III.B.5.b. is amended by removing the reference to "(12 CFR 208.30)" and adding in its place "(12 CFR 208.40)."

b. Section III.B.5.d.(i) is amended by removing the reference to "(12 CFR 208.33(b))" and adding in its place "(12 CFR 208.43(b)(1))."

c. Section III.B.5.d.(ii) is amended by removing the reference to "(12 CFR 208.33(c))" and adding in its place "(12 CFR 208.43(c))."

6. In Appendix B to part 208, the following amendments are made:

a. Section II.d. is amended by removing the reference to "(12 CFR 208.30)" and adding in its place "(12 CFR 208.40)."

b. Section II.f.(i) is amended by removing the reference to "(12 CFR 208.33(b))" and adding in its place "(12 CFR 208.43(b)(1))."

c. Section II.f.(ii) is amended by removing the reference to "(12 CFR 208.33(c))" and adding in its place "(12 CFR 208.43(c))."

7. In Appendix C to part 208, in the paragraph immediately following the heading, footnote 5 is redesignated as footnote 1 and the new footnote 1 is amended by removing the reference to "12 CFR part 208, subpart C" and adding in its place "12 CFR part 208, subpart E."

PART 211—INTERNATIONAL BANKING OPERATIONS (REGULATION K)

1. The authority citation for part 211 continues to read as follows:

Authority: 12 U.S.C. 221 *et seq.*, 1818, 1835a, 1841 *et seq.*, 3101 *et seq.*, and 3901 *et seq.*

§ 211.2 [Amended]

2. In § 211.2, paragraph (u)(1) is amended by removing the reference to "12 CFR 208.33(b)(1)" and adding in its place "12 CFR 208.43(b)(1)."

§ 211.8 [Amended]

3. In § 211.8, the paragraph is amended by removing the reference to "§ 208.20" and adding in its place "§ 208.62" and by removing the reference to "12 CFR 208.20" and adding in its place "12 CFR 208.62."

211.22 [Amended]

4. In § 211.22, paragraph (d) is amended by removing the reference to "§ 208.28" and adding in its place "§ 208.7" and by removing the reference to "(12 CFR 208.28)" and adding in its place "(12 CFR 208.7)."

§ 211.24 [Amended]

5. In § 211.24, paragraph (f) is amended by removing the reference to "§ 208.20" and adding in its place "§ 208.62" and by removing the reference to "12 CFR 208.20" and adding in its place "12 CFR 208.62."

6. In § 211.24, paragraph (h) is amended by removing the reference to "12 CFR 208.25" and by adding in its place "12 CFR 208.37."

PART 215—LOANS TO EXECUTIVE OFFICERS, DIRECTORS, AND PRINCIPAL SHAREHOLDERS OF MEMBER BANKS (REGULATION O)

1. The authority citation for part 215 continues to read as follows:

Authority: 12 U.S.C. 248(i), 375a(10), 375b(9) and (10), 1817(k)(3) and 1972(2)(G)(ii); Pub.L. 102-242, 105 Stat. 2236.

§ 215.3 [Amended]

2. In § 215.3, paragraph (a)(3) is amended by removing the reference to "§ 208.8(d) of this chapter" and by adding in its place "§ 208.24 of this chapter."

PART 225—BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (REGULATION Y)

1. The authority citation for part 225 continues to read as follows:

Authority: 12 U.S.C. 1817(j)(13), 1818, 1828(o), 1831i, 1831p-1, 1843(c)(8), 1844(b), 1972(l), 3106, 3108, 3310, 3331-3351, 3907, and 3909.

§ 225.4 [Amended]

2. In § 225.4, paragraph (d) is amended by removing the term "municipal securities dealer" from the heading and the phrase "a municipal securities dealer," from the text; by removing the reference to "§§ 208.8(0)-(j)" and adding in its place "§§ 208.31-208.33"; and by removing the reference to "(12 CFR 208.8(f)-(j))" and adding in its place "(12 CFR 208.31-208.33)."

3. In § 225.4, paragraph (f) is amended by removing the reference to "§ 208.20" and adding in its place "§ 208.62" and by removing the reference to "(12 CFR 208.20)" and by adding in its place "(12 CFR 208.62)."

Appendix A to Part 225 [Amended]

4. In Appendix A to part 225, section III.B.5.b. is amended by removing the

reference to "(12 CFR 208.30)" and adding in its place "(12 CFR 208.40)."

PART 262—RULES OF PROCEDURE

1. The authority citation for part 262 continues to read as follows:

Authority: 5 U.S.C. 552, 12 U.S.C. 321, 1828(c), and 1842.

§ 262.3 [Amended]

2. In § 262.3, paragraphs (b)(1)(i)(A) and (b)(1)(i)(C) are removed and paragraphs (b)(1)(i)(B), (b)(1)(i)(D), and (b)(1)(i)(E) are redesignated as paragraphs (b)(1)(i)(A) through (b)(1)(i)(C), respectively.

PART 263—RULES OF PRACTICE FOR HEARINGS

1. The authority citation for part 263 continues to read as follows:

Authority: 5 U.S.C. 504; 12 U.S.C. 248, 324, 504, 505, 1817(j), 1818, 1828(c), 1831o, 1831p-1, 1847(b), 1847(d), 1884(b), 1972(2)(F), 3105, 3107, 3108, 3907, 3909; 15 U.S.C. 21, 78o-4, 78o-5, 78u-2; and 28 U.S.C. 2461 note.

§ 263.201 [Amended]

2. In § 263.201, paragraph (a) is amended by removing the reference to "subpart B of part 208" and adding in its place "subpart D of part 208."

§ 263.203 [Amended]

3. In § 263.203, paragraph (a)(1)(i)(A) is amended by removing the reference "§ 208.33(c) of Regulation H (12 CFR 208.33(c))" and by adding in its place "208.43(c) of Regulation H (12 CFR 208.43(c))."

§ 263.205 [Amended]

4. In § 263.205, paragraph (b)(2) is amended by removing the reference to "subpart B of Regulation H (12 CFR part 208, subpart B)" and adding in its place "subpart D of Regulation H (12 CFR part 208, subpart D)."

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

1. The authority citation for part 265 continues to read as follows:

Authority: 12 U.S.C. 248(i) and (k).

§ 265.7 [Amended]

2. In 265.7, paragraphs (f)(6)(i) and (ii) are amended by removing the reference to "§ 208.16" and adding in their place "§ 208.36."

3. Section 265.11 is amended as follows:

- a. Paragraph (a)(7) is amended by removing the reference to "(12 CFR 208.11(c))" and adding in its place "(12 CFR 209.3(e))."
- b. Paragraph (e)(1) is revised.
- c. Paragraph (e)(3) is revised.

d. Paragraph (e)(4) introductory text is revised.

e. Paragraph (e)(5) introductory text is revised.

f. Paragraph (e)(7) is revised.

g. Paragraph (e)(8) is amended by removing the reference to "Regulation P (12 CFR 216)" and adding in its place "Regulation H (12 CFR part 208)."

h. Paragraph (e)(12) is revised.

The revisions read as follows:

§ 265.11 Functions delegated to Federal Reserve Banks.

* * * * *

(e) *Member banks*—(1) *Approval of membership applications.* To approve applications for membership in the Federal Reserve System under section 9 of the Federal Reserve Act (12 USC 321 *et seq.*) and Regulation H (12 CFR part 208) if the Reserve Bank is satisfied that approval is warranted after considering the factors set forth in 12 CFR 208.3(b).

* * * * *

(3) *Approval of branch applications.* To approve a state member bank's establishment of a domestic branch under section 9 of the Federal Reserve Act (12 USC 321 *et seq.*) and Regulation H (12 CFR part 208) if the Reserve Bank is satisfied that approval is warranted after considering the factors set forth in 12 CFR 208.6(b).

(4) *Declaration of dividends in excess of net profits.* To permit a state member bank under section 9(6) of the Federal Reserve Act (12 USC 324 and 60) to declare dividends in excess of the amounts allowed in 12 CFR 208.5(c) if the Reserve Bank is satisfied that approval is warranted after giving consideration to:

* * * * *

(5) *Reduction of capital stock.* To permit a state member bank under section 9(11) of the Federal Reserve Act (12 USC 239) to reduce its capital stock below the amounts set forth in 12 CFR 208.5(d) if the state member bank's capitalization thereafter will be:

* * * * *

(7) *Investment in bank premises in excess of capital stock.* To permit a state member bank to invest in bank premises under section 24A of the Federal Reserve Act (12 USC 371a) in an amount in excess of that set forth in 12 CFR 208.21(a), if the Reserve Bank is satisfied that approval is warranted after giving consideration to the bank's capitalization in relation to the character and condition of its assets and to its deposit liabilities and other corporate responsibilities, including the volume of its risk assets and of its marginal and inferior quality assets, all

considered in relation to the strength of its management.

* * * * *

(12) *Public welfare investments.* To permit a state member bank to make a public welfare investment that meets the conditions of 12 CFR 208.22(b)(1)–(3), (b)(5) and (b)(7), if the Reserve Bank is satisfied that:

(i) The state member bank received at least an overall rating of "3" as of its most recent consumer compliance examination; and

(ii) The aggregate of all such investments of the state member bank does not exceed 10 percent of its capital stock and surplus as defined under 12 CFR 208.2(d).

* * * * *

By order of the Board of Governors of the Federal Reserve System, October 26, 1998.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 98–29097 Filed 10–30–98; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–CE–49–AD; Amendment 39–10861; AD 98–22–14]

RIN 2120–AA64

Airworthiness Directives; Rolladen Schneider Flugzeugbau GmbH Models LS 3–A, LS 4, and LS 4a Sailplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Rolladen Schneider Flugzeugbau GmbH (Rolladen Schneider) Models LS 3–A, LS 4, and LS 4a sailplanes. This AD requires repetitively inspecting the forward elevator mounting bracket on the vertical tail fin for looseness, and, if any loose bracket is found, modifying the area and installing a new forward elevator mounting bracket. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by this AD are intended to detect and correct loose forward elevator mounting brackets, which could result in these brackets separating from the sailplane with consequent loss of control of the sailplane.

DATES: Effective December 14, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 14, 1998.

ADDRESSES: Service information that applies to this AD may be obtained from Rolladen-Schneider Flugzeugbau GmbH, Muhlstrasse 10, D–63329 Egelsbach, Germany. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 95–CE–49–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426–6934; facsimile: (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Rolladen Schneider Models LS 3–A, LS 4, and LS 4a sailplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on August 14, 1998 (63 FR 43649). The NPRM proposed to require repetitively inspecting the forward elevator mounting bracket on the vertical tail fin for looseness, and, if any loose bracket is found, modifying the area and installing a new forward elevator mounting bracket. Accomplishment of the proposed inspections as specified in the NPRM would be in accordance with Rolladen Schneider Technical Bulletin No. 3043/4035, dated July 14, 1993. Accomplishment of the proposed modification and installation as specified in the NPRM would be in accordance with Rolladen Schneider BA–4 Instructions, dated July 7, 1993, as referenced in Rolladen Schneider Technical Bulletin No. 3043/4035, dated July 14, 1993.

The NPRM was the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.