

agency to develop an effective process to permit timely input by elected officers of state, local, and tribal governments on a proposed "significant intergovernmental mandate," and it requires an agency to develop a plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirement that might significantly or uniquely affect them. This final rule does not contain any federal mandate, so these requirements do not apply.

#### H. Congressional Notification

As required by 5 U.S.C. 801, DOE will submit to Congress a report regarding the issuance of today's final rule prior to the effective date set forth at the outset of this notice. The report will state that it has been determined that the rule is not a "major rule" as defined by 5 U.S.C. 801(2).

#### List of Subjects in 10 CFR Part 436

Energy, Government contracts.

Issued in Washington, DC, on June 21, 2000.

**Dan W. Reicher**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

For the reasons set out in the preamble, DOE amends part 436 of Chapter II, Title 10 of the Code of Federal Regulations, as follows:

#### PART 436—FEDERAL ENERGY MANAGEMENT AND PLANNING PROGRAMS [AMENDED]

1. The authority citation for Part 436 continues to read as follows:

**Authority:** 42 U.S.C. 6361; 42 U.S.C. 8251–8263; 42 U.S.C. 8287–8287(c).

2. Section 436.30 in Subpart B, is amended in paragraph (a) by revising the first sentence to read as follows:

##### § 436.30 Purpose and scope.

(a) General. This subpart provides procedures and methods which apply to Federal agencies with regard to the award and administration of energy savings performance contracts awarded on or before September 30, 2003. \* \* \*

3. Section 436.33 in Subpart B is amended by revising paragraph (b)(1) to read as follows:

##### § 436.33 Procedures and methods for contractor selection.

\* \* \* \* \*

(b) \* \* \*

(1) Consider unsolicited energy savings performance contract proposals from firms on a qualified contractor list under this subpart which include technical and price proposals and the

text of any financing agreement (including a lease-acquisition) without regard to the requirements of 48 CFR 15.602 and 15.602–2(a)(1); 48 CFR 15.603; and 48 CFR 15.607(a), (a)(2), (a)(3), (a)(4) and (a)(5).

\* \* \* \* \*

[FR Doc. 00–16298 Filed 6–27–00; 8:45 am]

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#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### Office of Federal Housing Enterprise Oversight

#### 12 CFR Part 1700

RIN 2550–AA10

#### Organization and Functions

**AGENCY:** Office of Federal Housing Enterprise Oversight, HUD.

**ACTION:** Final rule.

**SUMMARY:** The Office of Federal Housing Enterprise Oversight (OFHEO) is revising its regulations that describe the Agency's organization and functions. The revisions reflect changes in the organizational structure of the Agency and the functional responsibilities of its offices. The revisions include a summary of two new offices and a reference to the location of OFHEO's website.

In promulgating this rule, OFHEO finds that notice and public comment are not necessary. Section 553(b)(3)(A) of Title 5, United States Code, provides that when regulations involve matters of agency organization, procedure or practice, the Agency may publish regulations in final form. In addition, OFHEO finds, in accordance with 5 U.S.C. 553(d), that a delayed effective date is unnecessary. Accordingly, these regulations are effective upon publication.

**EFFECTIVE DATE:** The final rule is effective June 28, 2000.

**FOR FURTHER INFORMATION CONTACT:** Christine C. Dion, Associate General Counsel, telephone (202) 414–3838 (not a toll-free number), Office of Federal Housing Enterprise Oversight, Fourth Floor, 1700 G Street, NW., Washington, DC 20552. The telephone number for the Telecommunications Device for the Deaf is (800) 877–8339.

#### SUPPLEMENTARY INFORMATION:

#### Discussion of the Final Regulation

This final rule informs the public about structural and functional changes within OFHEO that were recently

implemented by the Director. Changes in the Agency's structure consist of the establishment of the "Office of Information Technology" and the "Office of Strategic Planning and Management".

The function of the "Office of Information Technology" is to plan, develop, secure, maintain, and assure the quality of OFHEO information systems and records management functions. The functions of the "Office of Strategic Planning and Management" are to assist the Director in developing and maintaining a long-term strategic plan that is consistent with the mission of OFHEO, and to facilitate efforts to ensure that agency activities and operations are consistent with its strategic plan. This office also is responsible for leading the development of OFHEO's Annual Performance Plans and Annual Performance Reports.

Functional changes made by the Director to existing OFHEO offices are reflected in the offices' new titles. The "Office of Research, Analysis and Capital Standards" has been renamed the "Office of Risk Analysis and Model Development". This new title indicates that this office's principal functions are to develop and apply econometric, financial, and accounting models to evaluate the credit and interest rate risks of Freddie Mac and Fannie Mae (collectively, the "Enterprises"), and to undertake related research and analyses. Notably, this office has developed and continues to maintain and enhance the set of models used for stress tests of the Enterprises, including the stress test to determine risk-based capital requirements, as required by OFHEO's enabling statute.<sup>1</sup> In addition to risk analysis and model development, this office has ongoing responsibility for determining the capital classifications of the Enterprises in order to ensure their capital adequacy.

Moreover, the "Office of the Chief Economist" has been renamed the "Office of Policy Analysis and Research". The name change reflects that the office's primary function is conducting research and policy analysis to assess and project the short- and long-term impact of issues and trends in housing finance. In addition to performing research and analyses, this office is responsible for developing policy options and making recommendations on a broad range of

<sup>1</sup> Federal Housing Enterprises Financial Safety and Soundness Act of 1992, Title XIII, Pub. L. 102–550, 106 Stat. 3941 *et seq.* (Oct. 29, 1992), section 1361.

issues relevant to OFHEO's regulatory oversight.

Although its functions have not changed, the "Office of Congressional and Public Affairs" has been renamed the "Office of External Relations" to represent its broader external responsibilities, including the coordination and communication with Congress, the news media and the public. The head of the office, the Associate Director for External Relations, continues to serve as spokesperson for OFHEO.

The "Office of the General Counsel" is not included in this rule because its functions and name have not changed. The "Office of Examination Oversight" and the "Office of Finance and Administration" are included in order to provide more detail about their functions.

This rule also references OFHEO's website where, among other things, the public may learn about the Agency. To that end, OFHEO's website includes an organizational chart, which reflects the Agency's structure noted in this rule.

### Regulatory Impact

#### *Executive Order 12866, Regulatory Planning and Review*

This final rule is not classified as a significant rule under Executive Order 12866 because it will not result in: (1) An annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or foreign markets. Accordingly, no regulatory impact assessment is required and this final rule has not been submitted to the Office of Management and Budget for review.

### Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires that a rule that has a significant economic impact on a substantial number of small entities, small businesses, or small organizations must include an initial regulatory flexibility analysis describing the regulation's impact on small entities. Such an analysis need not be undertaken if the Agency has certified that the regulation will not have a significant economic impact on a substantial number of small entities. 5 U.S.C. 605(b). OFHEO has considered

the impact of this final rule under the Regulatory Flexibility Act. The General Counsel certifies that this final rule will not have a significant economic impact on a substantial number of small business entities.

#### *Paperwork Reduction Act*

This final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### *Unfunded Mandates Reform Act of 1995*

This final rule does not require the preparation of an assessment statement in accordance with the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531. Assessment statements are not required for regulations that incorporate requirements specifically set forth in law. As explained in the preamble, this rule implements specific statutory requirements. In addition, this rule does not include a Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any one year.

### List of Subjects in 12 CFR Part 1700

Organization and functions  
(Government agencies).

For the reasons stated in the preamble, OFHEO is amending 12 CFR part 1700 as follows:

### PART 1700—ORGANIZATION AND FUNCTIONS

1. The authority citation for part 1700 continues to read as follows:

**Authority:** 5 U.S.C. 552; 12 U.S.C. 4513, 4526.

2. Section 1700.2 is amended by:
  - A. Revising paragraphs (c)(1), (c)(2), (c)(3), (c)(5) and (c)(6);
  - B. Adding paragraphs (c)(7) and (c)(8); and
  - C. Revising paragraph (d).

#### **§ 1700.2 Organization of the Office of Federal Housing Enterprise Oversight.**

\* \* \* \* \*

(c) *Offices and functions.* (1) *Office of Examination and Oversight.* The Office of Examination and Oversight plans and conducts examinations of the Enterprises, as required by the Act, prepares and issues reports of examination summarizing the financial condition and management practices of each Enterprise, and recommends corrective and preventative actions as appropriate. This office also is

responsible for off-site financial safety and soundness monitoring.

(2) *Office of Risk Analysis and Model Development.* The Office of Risk Analysis and Model Development develops and applies econometric, financial and accounting models to evaluate the credit and interest rate risks of the Enterprises, and undertakes other related research and analyses. This office has developed and continues to maintain and enhance the set of models used for stress tests of the Enterprises, including the stress test to determine risk-based capital requirements, as required by the Act. This office is responsible for applying minimum and risk-based capital requirements in determining the capital classifications of the Enterprises in order to ensure their capital adequacy.

(3) *Office of Finance and Administration.* The Office of Finance and Administration provides support services in all areas of financial and administrative management of OFHEO. This office is responsible for developing, managing and implementing agency policies and procedures governing: (i) All human resources functions, including payroll; (ii) Support for all facility and supply requirements; (iii) Agency contracting and procurement programs; and (iv) Agency financial management, budgeting and accounting functions, including travel, internal controls and financial reporting.

\* \* \* \* \*

(5) *Office of External Relations.* The Office of External Relations is responsible for coordinating and communicating on behalf of OFHEO with the Congress, for monitoring relevant legislative developments, and for analyzing and assisting the Director in developing legislative proposals. This office also is responsible for directing and coordinating communication with the news media and the public. The Associate Director for Public Affairs serves as spokesperson for OFHEO.

(6) *Office of Policy Analysis and Research.* The Office of Policy Analysis and Research conducts research and policy analysis to assess and project the short- and long-term impact of issues and trends in housing finance on OFHEO's regulatory and supervisory responsibilities. This office also develops policy options and makes recommendations to the Director on a broad range of issues.

(7) *Office of Information Technology.* The Office of Information Technology plans, develops, secures, maintains, and assures the quality of the OFHEO information systems and records

management functions. This office is responsible for establishing and implementing policies, procedures and standards in the following areas: information systems development and procurement, office automation, records management, information systems security and other information technology-related services.

(8) *Office of Strategic Planning and Management.* The Office of Strategic Planning and Management assists the Director in developing and maintaining a long term strategic plan that is consistent with the mission of OFHEO and facilitates efforts to ensure that the activities and operations of the Agency are consistent with the strategic plan. This office also is responsible for leading the development of OFHEO's Annual Performance Plans and Annual Performance Reports.

(d) *Additional information.* Current information on the organization of OFHEO may be obtained by mail from the Office of External Affairs, 1700 G Street NW, 4th Floor, Washington, DC 20552. Such information, as well as other OFHEO information, also may be obtained electronically by accessing OFHEO's website located at "www.OFHEO.gov".

Dated: June 22, 2000.

**Armando Falcon, Jr.,**

*Director, Office of Federal Housing Enterprise Oversight.*

[FR Doc. 00-16287 Filed 6-27-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-108-AD; Amendment 39-11803; AD 2000-13-04]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes

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

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

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to all Boeing Model 777-200 and -300 series airplanes, that currently requires revising the Limitations Section of the Airplane Flight Manual (AFM) to prohibit the dispatch of certain airplanes under certain conditions. That amendment also requires repetitive inspections to ensure correct operation

of the backup generators; and, for certain airplanes, a one-time inspection to detect damage of the engine external gearbox; and corrective actions, if necessary. This amendment continues the AFM and inspection requirements and expands certain corrective action requirements. This amendment is prompted by reports of inflight shutdowns due to sheared backup generator shafts. The actions specified in this AD are intended to prohibit the dispatch of an airplane with an engine-mounted backup generator having a sheared shaft; and to detect and correct damage to the engine, which could result in inflight shutdowns.

**DATES:** Effective July 13, 2000.

The incorporation by reference of certain publications, as listed in the regulations, was approved previously by the Director of the Federal Register as of December 23, 1999 (64 FR 68618, December 8, 1999).

Comments for inclusion in the Rules Docket must be received on or before August 28, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-108-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via the Internet must contain "Docket No. 2000-NM-108-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Ed Hornel, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2681; fax (425) 227-1181.

**SUPPLEMENTARY INFORMATION:** On November 30, 1999, the FAA issued AD 99-25-13, amendment 39-11456 (64 FR

68618, December 8, 1999), applicable to all Boeing Model 777-200 and -300 series airplanes, to require revising the Limitations Section of the Airplane Flight Manual to prohibit the dispatch of certain airplanes under certain conditions. That AD also requires repetitive inspections to ensure correct operation of the backup generators; and, for certain airplanes, a one-time inspection to detect damage of the engine external gearbox; and corrective actions, if necessary.

A correction of the final rule was published in the **Federal Register** on December 22, 1999 (64 FR 71635, December 23, 1999). That AD (AD 99-25-13 C1, amendment 39-11456) corrects incorrect paragraph references in AD 99-25-13. That action was prompted by reports of inflight shutdowns due to sheared backup generator shafts. The actions required by the correction AD are intended to prohibit the dispatch of an airplane with an engine-mounted backup generator having a sheared shaft; and to detect and correct damage to the engine, which could result in inflight shutdowns.

#### Actions Since Issuance of Previous Rule

Since the issuance of AD 99-25-13 C1, the FAA has received questions from an operator regarding the following corrective action procedures:

- Boeing Service Letter 777-SL-24-023-B, dated August 16, 1999, specifies accomplishment of the applicable actions specified in both Steps 2.a.(1) and 2.a.(2) of that service letter. However, paragraph (d)(1)(ii) in that AD requires the accomplishment of either Steps 2.a.(1) or 2.a.(2), as applicable.

- Boeing Service Letter 777-SL-24-024, dated August 16, 1999, specifies accomplishment of the applicable actions specified in both Steps 1.a.(1) and 1.a.(2) of that service letter.

However, paragraph (d)(2) in that AD requires the accomplishment of either Steps 1.a.(1) or 1.a.(2), as applicable.

In response to the operator's questions, the FAA has determined that it is necessary to require the accomplishment of both of the applicable corrective actions specified in paragraph (d)(1)(ii) in that AD [cited as paragraph (f)(1)(ii) in this AD] for airplanes equipped with certain Rolls-Royce engines, and both of the applicable corrective actions specified in paragraph (d)(2) in that AD [cited as paragraph (f)(2) of this AD] for airplanes equipped with certain General Electric engines.

In addition, paragraphs (d)(1)(ii) and (d)(2) in that AD should have specified that the corrective actions required by those paragraphs are specified in certain