

# Rules and Regulations

Federal Register

Vol. 66, No. 36

Thursday, February 22, 2001

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. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 93

[Docket No. 00–115–3]

#### Specifically Approved States Authorized To Receive Mares and Stallions Imported From Regions Where CEM Exists

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Direct final rule; establishment and confirmation of new effective date.

**SUMMARY:** We are notifying the public of a change in the effective date of a direct final rule that amends our animal import regulations to add Oregon to the list of States approved to receive certain mares and stallions from regions affected with contagious equine metritis. The direct final rule was originally scheduled to become effective on February 16, 2001; however, on February 5, 2001, we published a document in the **Federal Register** that temporarily delayed the effective date by 60 days in order to give Department officials the opportunity for further review and consideration of the new regulations, consistent with the Assistant to the President's memorandum, "Regulatory Review Plan," of January 20, 2001. Department officials have completed their review of the direct final rule and have determined that the rule may be made effective without further delay.

**EFFECTIVE DATE:** February 16, 2001.

**FOR FURTHER INFORMATION CONTACT:** Dr. Karen James, Assistant Director, National Center for Import and Export, Technical Trade Services, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231; (301) 734–8364.

**SUPPLEMENTARY INFORMATION:** On December 18, 2000, the Animal and Plant Health Inspection Service published in the **Federal Register** (65 FR 78897–78899, Docket No. 00–115–1) a direct final rule notifying the public of our intention to amend the animal importation regulations in 9 CFR part 93 by adding Oregon to the lists of States approved to receive certain mares and stallions imported into the United States from regions affected with contagious equine metritis (CEM). In that document, we stated that the direct final rule would become effective on February 16, 2001, unless we received written adverse comments or written notice of intent to submit adverse comments in response to the direct final rule by January 17, 2001. We did not receive any written adverse comments or written notice of intent to submit adverse comments, so we were prepared to confirm the February 16, 2001, effective date.

However, on February 5, 2001, we published a document in the **Federal Register** (66 FR 8887, Docket No. 00–115–2) informing the public that we were temporarily delaying for 60 days the effective date of the rule. That action was taken in accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," which was published in the **Federal Register** on January 24, 2001 (66 FR 7701–7702). As we explained in our February 5, 2001, document, the temporary 60-day delay in effective date was necessary to give Department officials the opportunity for further review and consideration of new regulations, as directed by the memorandum of January 20, 2001.

Department officials have completed their review and consideration of our December 18, 2000, direct final rule and have determined that the rule may be made effective without further delay. Therefore, this document serves to establish and confirm February 16, 2001, as the effective date for the direct final rule adding Oregon to the lists of States approved to receive certain mares and stallions imported into the United States from regions affected with CEM that was published in the **Federal Register** on December 18, 2000, at 65 FR 78897–78899.

#### Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**.

The rule adds Oregon to the lists of States approved to receive certain mares and stallions imported into the United States from regions affected with CEM. We are taking this action because Oregon has entered into an agreement with the Administrator of the Animal and Plant Health Inspection Service to enforce its State laws and regulations to control CEM and to require inspection, treatment, and testing of horses, as required by Federal regulations, to further ensure the horses' freedom from CEM. This action relieves unnecessary restrictions on the importation of mares and stallions from regions where CEM exists. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective upon signature.

**Authority:** 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 16th day of February 2001.

**Bobby R. Acord,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 01–4392 Filed 2–21–01; 8:45 am]

**BILLING CODE 3410–34–U**

## FEDERAL RESERVE SYSTEM

### 12 CFR Part 220

[Regulation T]

#### Credit by Brokers and Dealers; List of Foreign Margin Stocks

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; determination of applicability of regulations.

**SUMMARY:** The List of Foreign Margin Stocks (Foreign List) is composed of certain foreign equity securities that qualify as *margin securities* under Regulation T. The Foreign List is published twice a year by the Board.

**EFFECTIVE DATE:** March 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Peggy Wolfrum, Financial Analyst,

Division of Banking Supervision and Regulation, (202) 452-2837, or Scott Holz, Senior Counsel, Legal Division, (202) 452-2966, Board of Governors of the Federal Reserve System, Washington, DC 20551.

**SUPPLEMENTARY INFORMATION:** Listed below is a complete edition of the Board's Foreign List. The Foreign List was last published on August 24, 2000 (65 FR 51519), and became effective September 1, 2000.

The Foreign List is composed of foreign equity securities that qualify as margin securities under Regulation T by meeting the requirements of § 220.11(c) and (d). Additional foreign securities qualify as margin securities if they are deemed by the Securities and Exchange Commission (SEC) to have a "ready market" under SEC Rule 15c3-1 (17 CFR 240.15c3-1) or a "no-action" position issued thereunder. This includes all foreign stocks in the FTSE World Index Series.

It is unlawful for any creditor to make, or cause to be made, any representation to the effect that the inclusion of a security on the Foreign List is evidence that the Board or the SEC has in any way passed upon the merits of, or given approval to, such security or any transactions therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with the Foreign List or the stocks thereon shall be an unlawful representation.

There are no additions to the Foreign List. The following four stocks are being removed because they no longer substantially meet the provisions of § 220.11(d) of Regulation T:

Aiwa Co., Ltd.

¥50 par common

Japan Securities Finance Co., Ltd.

¥50 par common

Saibu Gas Co., Ltd.

¥50 par common

Yodogawa Steel Works, Ltd.

¥50 par common

#### **Public Comment and Deferred Effective Date**

The requirements of 5 U.S.C. 553 with respect to notice and public participation were not followed in connection with the issuance of this amendment due to the objective character of the criteria for inclusion and continued inclusion on the Foreign List specified in § 220.11(c) and (d). No additional useful information would be gained by public participation. The full requirements of 5 U.S.C. 553 with respect to deferred effective date have not been followed in connection with

the issuance of this amendment because the Board finds that it is in the public interest to facilitate investment and credit decisions based in whole or in part upon the composition of the Foreign List as soon as possible. The Board has responded to a request by the public and allowed approximately a one-week delay before the Foreign List is effective.

#### **List of Subjects in 12 CFR Part 220**

Brokers, Credit, Margin, Margin requirements, Investments, Reporting and recordkeeping requirements, Securities.

Accordingly, pursuant to the authority of sections 7 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78g and 78w), and in accordance with 12 CFR 220.2 and 220.11, there is set forth below a complete edition of the Foreign List.

#### **Japan**

Akita Bank, Ltd.

¥50 par common

Aomori Bank, Ltd.

¥50 par common

Asatsu-DK Inc.

¥50 par common

Bandai Co., Ltd.

¥50 par common

Bank of Nagoya, Ltd.

¥50 par common

Chudenko Corp.

¥50 par common

Chugoku Bank, Ltd.

¥50 par common

Clarion Co., Ltd.

¥50 par common

Daihatsu Motor Co., Ltd.

¥50 par common

Dainippon Screen Mfg. Co., Ltd.

¥50 par common

Denki Kagaku Kogyo

¥50 par common

Eighteenth Bank, Ltd.

¥50 par common

Futaba Corp.

¥50 par common

Futaba Industrial Co., Ltd.

¥50 par common

Higo Bank, Ltd.

¥50 par common

Hitachi Construction Machinery Co., Ltd.

¥50 par common

Hitachi Software Engineering Co., Ltd.

¥50 par common

Hitachi Transport System, Ltd.

¥50 par common

Hokkoku Bank, Ltd.

¥50 par common

Hokuetsu Bank, Ltd.

¥50 par common

Hokuetsu Paper Mills, Ltd.

¥50 par common

Iyo Bank, Ltd.

¥50 par common  
Japan Airport Terminal Co., Ltd.

¥50 par common

Juroku Bank, Ltd.

¥50 par common

Kagoshima Bank, Ltd.

¥50 par common

Kamigumi Co., Ltd.

¥50 par common

Katokichi Co., Ltd.

¥50 par common

Keisei Electric Railway Co., Ltd.

¥50 par common

Keiyo Bank, Ltd.

¥50 par common

Kiyo Bank, Ltd.

¥50 par common

Komori Corp.

¥50 par common

Konami Co., Ltd.

¥50 par common

Kyowa Exeo Corp.

¥50 par common

Matsushita Seiko Co., Ltd.

¥50 par common

Max Co., Ltd.

¥50 par common

Michinoku Bank, Ltd.

¥50 par common

Musashino Bank, Ltd.

¥500 par common

Namco, Ltd.

¥50 par common

Nichicon Corp.

¥50 par common

Nihon Unisys, Ltd.

¥50 par common

Nippon Comsys Corp.

¥50 par common

Nippon Trust Bank, Ltd.

¥50 par common

Nishi-Nippon Bank, Ltd.

¥50 par common

Nishi-Nippon Railroad Co., Ltd.

¥50 par common

Nissan Chemical Industries, Ltd.

¥50 par common

Ogaki Kyoritsu Bank, Ltd.

¥50 par common

Q.P. Corp.

¥50 par common

Rinnai Corporation

¥50 par common

Ryosan Co., Ltd.

¥50 par common

Sagami Railway Co., Ltd.

¥50 par common

Sakata Seed Corp.

¥50 par common

Santen Pharmaceutical Co., Ltd.

¥50 par common

Shimadzu Corp.

¥50 par common

Shimamura Co., Ltd.

¥50 par common

Sumitomo Rubber Industries, Ltd.

¥50 par common

Taiyo Yuden Co., Ltd.

¥50 par common

Takara Standard Co., Ltd.  
¥50 par common  
Takuma Co., Ltd.  
¥50 par common  
Toho Bank, Ltd.  
¥50 par common  
Toho Gas Co., Ltd.  
¥50 par common  
Tokyo Ohka Kogyo Co., Ltd.  
¥50 par common  
Tokyo Tomin Bank, Ltd.  
¥500 par common  
Uni-Charm Corp.  
¥50 par common  
Ushio, Inc.  
¥50 par common  
Yamaha Motor Co., Ltd.  
¥50 par common  
Yamanashi Chuo Bank, Ltd.  
¥50 par common

By order of the Board of Governors of the Federal Reserve System, acting by its Director of the Division of Banking Supervision and Regulation pursuant to delegated authority (12 CFR 265.7(f)(10)), February 15, 2001.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 01-4360 Filed 2-21-01; 8:45 am]

BILLING CODE 6210-01-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-256-AD; Amendment 39-12121; AD 2001-04-03]

RIN 2120-AA64

#### **Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD),

applicable to certain EMBRAER Model EMB-145 series airplanes, that requires inspection of the bolts on the hinge fittings that attach the spring tab and the servo tab to the rear spar of the elevators for evidence of loosening; inspection of the region of the hinge fittings on the spring tab for interference of the bonding jumpers attached to the hinge fittings with the leading edge of the spring tab; and corrective action, if necessary. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign airworthiness authority. The actions specified by this AD are intended to prevent the spring tab or the servo tab from becoming disconnected, resulting in structural failure. The action is also intended to prevent damage to the leading edge of the spring tab, which could result in loss of control of the elevator.

**DATES:** Effective March 29, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 29, 2001.

**ADDRESSES:** The service information referenced in this AD may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. 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, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Viswa Padmanabhan, Aerospace Engineer, ACE-117A, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite

450, Atlanta, Georgia 30349; telephone (770) 703-6049; fax (770) 703-6097.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain EMBRAER Model EMB-145 series airplanes was published in the **Federal Register** on December 8, 2000 (65 FR 76950). That action proposed to require inspection of the bolts on the hinge fittings that attach the spring tab and the servo tab to the rear spar of the elevators for evidence of loosening; inspection of the region of the hinge fittings on the spring tab for interference of the bonding jumpers attached to the hinge fittings with the leading edge of the spring tab; and corrective action, if necessary.

#### Comments

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

The FAA estimates that 71 airplanes of U.S. registry will be affected by this AD.

The initial inspection will take 2 work hours per airplane at an average labor rate of \$60 per hour. Based on these figures, the cost impact on U.S. operators of the initial inspection (Part I) specified in the AD is estimated to be \$8,520, or \$120 per airplane.

The cost impact on U.S. operators of follow-on actions is specified in the following table:

**COST OF FOLLOW-ON ACTIONS**

Action	Work hours	Cost of labor/airplane	Cost of parts/airplane	Cost/airplane
Corrective action/Part II .....	6	\$360	\$71	\$431
Corrective action/Part III .....	6	360	2	362
Repetitive inspection/Part IV .....	3	180	0	180

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. The cost impact

figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up,

planning time, or time necessitated by other administrative actions.

#### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between