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DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Parts 1864 and 1962

Elimination of Loan Codes and Account Status Statements

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations to remove references to FmHA Instruction 450.1, Loan Codes and Account Status Statements, which has been deemed unnecessary, and to change the reference Form FmHA 450–1, "Statement of Account," to Form FmHA 1951–9, "Annual Statement of Loan Account." The intended effect of this action is to update the Agency's regulations and CFR.

EFFECTIVE DATE: October 18, 1989.

FOR FURTHER INFORMATION CONTACT: Keith Miller, Systems Accountant, Accounting Policy and Procedures Section I, USDA, Farmers Home Administration, 1520 Market Street, St. Louis, Missouri 63103, telephone FTS 262–6024 or Commercial 314–539–6024.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Departmental Regulation 1512–1, which implements Executive Order 12291, and has been determined to be exempt from those requirements because it involves only internal Agency management. It is the policy of this Department to publish for comment rules relating to public property, loans, grants, benefits, or contracts, notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since it involves only matters involving management, making publication for comment unnecessary and impractical.

This action affects the following programs listed in the catalog of Federal Domestic Assistance:

10.406–Farm Operating Loans.
10.410–Low Income Housing Loans.

This program/activity is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local official. See 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983) and 7 CFR part 1940, subpart J, "Intergovernmental Review of Farmers Home Administration Programs and Activities."

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, "Environmental Programs." FmHA has determined that this action does not constitute a major Federal action significantly affecting the quality of human environment and, in accordance with the National Environmental Policy Act of 1969, Public Law 91–190, an Environmental Impact Statement is not required.

List of Subjects for 7 CFR Parts 1864 and 1962

Accounting, Loan programs-Agriculture, Rural areas, Crops, Government property, Livestock.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is amended as follows:

PART 1864—DEBT SETTLEMENT

1. The authority citation for part 1864 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 31 U.S.C. 3711; 7 CFR 2.23; and 7 CFR 2.70.

2. Section 1864.19 is amended by revising paragraph (b) to read as follows:

§ 1864.19 Finance Office handling.

* * * * *

(b) When a debtor's adjustment offer is approved, the accounts involved will not be adjusted in the records of the Finance Office until all payments have been made. In such cases, Form FmHA 1956–1 will be held in a suspense file pending payment of the full amount of the approved offer. All copies of Form FmHA 1951–9, "Annual Statement of Loan Account," or other forms used for the same purpose, issued in cases of approved adjustments will be stamped by the Finance Office with the following legend: "Subject to approved adjustment." The original Form FmHA 1956–1 in approved cases will be retained in the Finance Office.

* * * * *

PART 1962—PERSONAL PROPERTY

3. The authority citation for part 1962 continues to read as follows:

Authority: 7 U.S.C. 1989; 5 U.S.C. 301; 7 CFR 2.23; 7 CFR 2.70.

4. Section 1962.49 is amended by revising the introductory text of paragraph (e) to read as follows:

§ 1962.49 Civil and criminal cases.

* * * * *

(e) *Actions on cases referred to the U.S. Attorney and on judgement cases (including third-party judgements).* OGC will notify the State Director, the Finance Office, and the County Supervisor when a case is referred to the U.S. Attorney or is otherwise closed. When a case is referred to the U.S. Attorney, the Finance Office will discontinue mailing Form FmHA 1951–9, Annual "Statement of Loan Account," to such borrowers. OGC will also notify the State Director when a judgement (including third-party) is obtained.

* * * * *

Dated: August 30, 1989.

Neal Sox Johnson,

Acting Administrator, Farmers Home Administration.

[FR Doc. 89–24534 Filed 10–17–89; 8:45 am]
BILLING CODE 3410-07-M

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Chapters III and V

Regulations Transferred From Federal Savings and Loan Insurance Corporation; Redesignation From Chapter V to Chapter III

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Rule.

SUMMARY: In abolishing the Federal Home Loan Board ("FHLBB") and the Federal Savings and Loan Insurance Corporation ("FSLIC"), the Financial Institutions Reform, Recovery, and

Enforcement Act of 1989 ("FIRREA") provided for the transfer of FHLBB and FSLIC regulations relating to the conduct of conservatorships and receiverships, the provision, rates or cancellation of insurance of accounts, and the administration of the FSLIC insurance fund to either the Office of Thrift Supervision ("OTS") or the Federal Deposit Insuranace Corporation ("FDIC"). On October 6, 1989, as required by FIRREA, the Director of the OTS and the Chairperson of the FDIC jointly identified those regulations to be transferred and published a notice in the **Federal Register** allocating those regulations between the OTS and the FDIC (54 FR 41359–61).

This document carries out the transfer of those FHLBB or FSLIC regulations which have been allocated to the FDIC by redesignating them from the former FHLBB's regulations in title 12, chapter V, of the Code of Federal Regulations to the FDIC's regulations in title 12, chapter III, of the Code of Federal Regulations. This action is being taken for the purpose of transferring the former FHLBB and FSLIC regulations out of chapter V so that the OTS can establish its regulations in chapter V; the FDIC may take additional action in the future to modify, amend, or revoke certain of the transferred regulations.

EFFECTIVE DATE: October 18, 1989.

FOR FURTHER INFORMATION CONTACT: Alan J. Kaplan, Counsel, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429, phone (202) 898–3734; or Grovetta D. Nelson, Regional Attorney, Legal Division DOS, Federal Deposit Insurance Corporation, 452 Fifty Avenue, New York, New York 10018, phone (212) 704–1454.

SUPPLEMENTARY INFORMATION:

A. General

The FIRREA, signed into law August 9, 1989 (Pub. L. No. 101–73), immediately abolished the FSLIC, and abolished the FHLBB 60 days after enactment. Although these agencies have been abolished, FIRREA provides that FHLBB or FSLIC regulations and orders that relate to functions transferred by FIRREA and that were in effect on August 9, 1989 shall continue in effect according to their terms. These rules and regulations are enforceable by or against the FDIC, the Director of the OTS, the Federal Housing Finance Board, or the Resolution Trust Corporation, as the case may be, until the responsible agency modifies, terminates, sets aside, or supersedes them in accordance with applicable law. Pursuant to section 401(i) and 402(b) of FIRREA, the Chairperson of the FDIC and the Director of the OTS were required to identify those FHLBB or FSLIC regulations and orders relating to the conduct of conservatorships and receiverships, the provision, rates or cancellation of insurance of accounts, and the administration of the FSLIC insurance fund which would be enforceable by the FDIC and the OTS, and publish notice of the allocation of these regulations and others in the **Federal Register**. This was accomplished in a separate notice document jointly issued by the two agencies and published in the **Federal Register** on October 6, 1989 (54 FR 41359).

The FDIC is hereby formally transferring those regulations which have been allocated to it from 12 CFR chapter V to 12 CFR chapter III, and redesignating them to conform to the current structure of the FDIC's regulations in 12 CFR chapter III.

This document establishes subchapter C in title 12, chapter III, of the Code of Federal Regulations, where the transferred and redesignated regulations will be codified. Subchapter C will be entitled "Regulations Transferred from Federal Savings and Loan Insurance Corporation".

The regulations are being transferred at this time for the purpose of removing them from 12 CFR chapter V, since the OTS intends to publish its regulations in that chapter. To expedite this action, no changes (other than their redesignation) are being made at this time to the content of the transferred regulations; however, the FDIC may take additional action in the future to modify, amend, or repeal certain of the transferred regulations.

The FIRREA abolished the FSLIC insurance fund and established two separate insurance funds to be administered by the FDIC, the Bank Insurance Fund ("BIF") and the Savings Association Insurance Fund ("SAIF"). In general (with certain exceptions), members of the BIF are banks, while members of the SAIF are savings associations (savings and loans and similar institutions). Those regulations transferred from FSLIC relating to the administration of the FSLIC insurance fund will apply only to members to the SAIF.

B. Administrative Procedure Act

The transferred regulations were previously promulgated by the former Federal Home Loan Bank Board after notice and opportunity for public comment, where required. Therefore, a notice of proposed rulemaking and ensuing comment period is unnecessary in this case. Moreover, this action merely redesignates certain regulations from one chapter of the Code of Federal Regulations to another, without changing the content of those regulations in any way, in order to permit another agency (OTS) to publish its regulations in the chapter being vacated. Accordingly, this redesignation will become effective immediately upon publication.

C. Regulatory Flexibility Act

No notice of proposed rulemaking is required for this action, so the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply.

Accordingly, under the authority of title IV of Public Law 101–73 (103 Stat. 183, 354) and as set forth in the preamble, chapter III of title 12 of the Code of Federal Regulations is amended by adding a new subchapter C in chapter III, and chapter V of title 12 of the Code of Federal Regulations is amended by redesignating certain parts and sections of chapter V to chapter III, as set forth below.

1. Title 12, chapter III, of the Code of Federal Regulations is amended by adding a new subchapter C, consisting of parts 382 through 396, as follows:

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

SUBCHAPTER C—REGULATIONS TRANSFERRED FROM FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Part

2. Title 12 of the Code of Federal Regulations is amended by redesignating certain regulations from 12 CFR chapter V to 12 CFR chapter III as set forth in the following redesignation table which shows the relationship of

the former CFR part and section numbers under 12 CFR chapter V and new part and section numbers in 12 CFR chapter III:

REDESIGNATION TABLE

12 CFR ch. V: Former Section Numbers	12 CFR ch. III: New Section Numbers
Part 548	Part 382.
Part 549	Part 383.
Part 562	Part 384.
563.8-2	385.5.
563.15	385.6.
563.16	385.7.
563.16-2	385.8.
563.28	385.9.
563.29-1	385.1.
563.30	385.2.
563.31	385.3.
563.36	385.4.
Part 564	Part 386.
564.1	386.1.
564.2	386.2.
564.3	386.3.
564.4	386.4.
564.5	386.5.
564.6	386.6.
564.7	386.7.
564.8	386.8.
564.9	386.9.
564.10	386.10.
564.11	386.11.
Appendix to Part 564	Appendix to Part 386.
Part 565	Part 387.
569a.4	388.1.
569a.5	388.2.
569a.6	388.3.
569a.7	388.4.
569a.8	388.5.
569a.9	388.6.
569a.10	388.7.
569a.11	388.8.
569a.12	388.9.
569a.13	388.10.
Part 569c	Part 389.
570.12	386.12.
570.13	386.13.
Part 572	Part 390.
Part 572a	Part 391.
Part 575	Part 392.
Part 575a	Part 393.
Part 576	Part 394.
Part 577	Part 394.
Part 577	Part 395.
Part 578	Part 396.

3. All internal references in the redesignated parts and sections are changed accordingly.

By direction of the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

Dated at Washington, DC, this 12th day of October, 1989.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 89-24539 Filed 10-17-89; 8:45 am]

BILLING CODE 6174-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 89-ANM-4]

Establish Transition Areas; Telluride, CO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action establishes the Telluride, Colorado, transition areas to provide a controlled airspace environment for a new VOR/DME approach to Runway 9 at the Telluride Airport. The areas will be depicted on aeronautical charts, and are intended to segregate aircraft operating under Instrument Flight Rules from other aircraft which are operating under Visual Flight Rules.

DATES: *Effective Date:* 0901 u.t.c., November 13, 1989.

Comments must be received on or before November 30, 1989.

ADDRESSES: Send comments on the rule to: Federal Aviation Administration, 17900 Pacific Highway South, Docket 89-ANM-4, Seattle, Wasington 98168, ATTN: ANM-536.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the same address.

FOR FURTHER INFORMATION CONTACT: Ted Melland, ANM-536, Federal Aviation Administration, Docket No. 89-ANM-4, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, Telephone: (206) 431-2536.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves establishment of transition areas at Telluride, Colorado, and was published as Notice of Proposed Rulemaking (NPRM) (54 FR 18538, May 1, 1989); and although no comments were received, change has been made to the initial proposal. Public comment is again invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with any other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects on the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the rule that might suggest the need to modify the rule.

Discussion

The purpose of this amendment to § 71.181 of part 71 of the Federal Aviation Regulations (14 CFR part 71) is to establish controlled airspace for a new instrument approach procedure at Telluride, Colorado. This airspace is needed to encompass a VOR/DME approach to Runway 9. The area will be depicted on appropriate aeronautical charts for pilot reference, enabling pilots to remain clear of controlled airspace or otherwise comply with Instrument Flight Rules.

After the Notice of Proposed Rulemaking was published, it was decided to reduce the impact upon the flying public by eliminating the portion which would establish controlled airspace upward from 1,200 feet above the surface, and replace it with controlled airspace which extends upward from 11,000 feet above sea level. This will provide aircraft from other airports in the same geographical area with 2,000-4,000 feet more in which to operate outside of controlled airspace. In addition, the geographical dimensions of the 11,000 foot transition area are slightly larger than those proposed for the 1,200 foot transition area, and the dimensions of the 700 foot transition area have been slightly enlarged over those proposed. Overall, however, impacts on the flying public are significantly less than those anticipated from the proposal.

It is important that the airspace be designated as soon as possible so as to permit operations during the highly critical period of time involving winter months when the procedure is most needed. Under these circumstances, the FAA concludes that there is an immediate need for the regulation to establish the transition area before the winter season, when the flying public would most benefit. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary and contrary to public interest. For the same reason, I find that good cause exists for making this amendment effective 30 days after publication in the **Federal Register.**

Section 71.181 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6E dated January 3, 1989.