

cause" exceptions found at 5 U.S.C. 553 (b) (B) and (d) (3). The reasons and the necessity for immediate implementation of this interim rule without prior notice and comment are as follows: this interim rule relieves a restriction and will facilitate business and tourist travel to the United States, Portugal, Singapore, and Uruguay.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely removes a restriction for both the traveling public and United States businesses.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

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

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any 1 year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in

costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12988 Civil Justice Reform

This interim rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988.

List of Subjects in 8 CFR Part 217

Administrative practice and procedures, Aliens, Nonimmigrants, Passports and visas.

Accordingly, part 217 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 217—VISA WAIVER PILOT PROGRAM

1. The authority citation for part 217 continues to read as follows:

Authority: 8 U.S.C. 1103, 1187; 8 CFR part 2.

2. In §217.2 paragraph (a) is amended by revising the definition for "Designated country" to read as follows:

§217.2 Eligibility.

(a) * * *

Designated country refers to Andorra, Argentina, Australia, Austria, Belgium, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, the United Kingdom, and Uruguay. The United Kingdom refers only to British citizens who have the unrestricted right of permanent abode in the United Kingdom (England, Scotland, Wales, Northern Ireland, the Channel Islands and the Isle of Man); it does not refer to British overseas citizens, British dependent territories' citizens, or citizens of British Commonwealth countries.

* * * * *

Dated: July 23, 1999.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 99-19836 Filed 8-2-99; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-151-AD; Amendment 39-11240; AD 99-16-05]

RIN 2120-AA64

Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Saab Model SAAB 2000 series airplanes, that requires repetitive inspections for excessive wear of the aileron control cables, cable guides, and cable pulleys located at the rear wing spars; and corrective actions, if necessary. This amendment also requires repetitive replacement of the control cables and cable guides with new or serviceable components. This amendment also provides for optional terminating action for the repetitive inspections. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness. The actions specified by this AD are intended to detect and correct excessive wear on the aileron control cables, cable guides, and cable pulleys located at the rear wing spars, which could result in broken aileron control cables and consequent reduced controllability of the airplane.

DATES: Effective September 7, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 7, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

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 Saab Model SAAB 2000 series airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on May 7, 1999 (64 FR 24542). That action proposed to require repetitive inspections for excessive wear of the aileron control cables, cable guides, and cable pulleys located at the rear wing spars; and corrective actions, if necessary. That action also proposed to require repetitive replacement of the control cables and cable guides with new or serviceable components. That action also provides for optional terminating action for the repetitive inspections.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, 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 3 airplanes of U.S. registry would be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$180, or \$60 per airplane, per inspection cycle.

It will take approximately 8 work hours per airplane to accomplish the required replacement, at an average labor rate of \$60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$1,440, or \$480 per airplane, per replacement cycle.

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.

Should an operator elect to perform the optional terminating modification, it would take approximately 8 work hours per airplane to accomplish, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the optional terminating modification provided by this AD on U.S. operators is estimated to be \$1,440, or \$480 per airplane.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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, Incorporation by reference, 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 the following new airworthiness directive:

99-16-05 SAAB Aircraft AB: Amendment 39-11240. Docket 97-NM-151-AD.

Applicability: Model SAAB 2000 series airplanes, serial numbers 004 through 064 inclusive; except those airplanes on which Saab Aircraft AB Modification 6093 (reference Saab Service Bulletin 2000-27-037, dated March 11, 1998) has been installed; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct excessive wear on the aileron control cables, cable guides, and cable pulleys located at the rear wing spars, which could result in broken aileron control cables and consequent reduced controllability of the airplane, accomplish the following:

Repetitive Inspections

(a) Inspect to detect discrepancies of the left- and right-hand aileron control cables, cable guides, and cable pulleys at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable, in accordance with Saab Service Bulletin 2000-27-033, dated April 29, 1997, or Revision 01, dated March 27, 1998. Repeat the inspection thereafter at intervals not to exceed 500 flight hours. If any discrepancy is found during any inspection required by this AD, prior to further flight, perform corrective action in accordance with the service bulletin.

(1) For airplanes on which Saab Modification 5784 has been installed: Inspect at the later of the times specified in paragraphs (a)(1)(i) and (a)(1)(ii) of this AD.

(i) Prior to the accumulation of 1,800 total flight hours; or within 1,800 flight hours after accomplishment of the modification or replacement of any control cable; whichever occurs latest. Or

(ii) Within 200 flight hours after the effective date of this AD.

(2) For airplanes on which Saab Modification 5784 has not been installed: Inspect at the later of the times specified in paragraphs (a)(2)(i) and (a)(2)(ii) of this AD.

(i) Prior to the accumulation of 3,200 total flight hours; or within 3,200 flight hours after replacement of any control cable; whichever occurs later. Or

(ii) Within 200 flight hours after the effective date of this AD.

Note 2: Although the inspection schedules of this AD apply to both left- and right-hand wing cable systems, replacement of the cable, guide, or pulley on one wing only, prior to scheduled replacement, would result in subsequent staggered inspections for the components of the left- and right-hand cable systems.

Repetitive Replacements

(b) Replace the aileron control cables, cable guides, and cable pulleys with new or serviceable parts, as applicable; at the time specified in paragraph (b)(1) or (b)(2) of this AD, as applicable; in accordance with Saab Service Bulletin 2000-27-033, dated April 29, 1997, or Revision 01, dated March 27, 1998.

(1) For airplanes on which Saab Modification 5784 has been installed: Replace at the later of the times specified in paragraphs (b)(1)(i) and (b)(1)(ii) of this AD. Thereafter, repeat the inspection required by paragraph (a) of this AD at the time specified in paragraph (a)(1); and replace the control cables and cable guides thereafter prior to the accumulation of 3,200 flight hours after replacement of any control cable.

(i) Prior to the accumulation of 3,200 total flight hours; or within 3,200 flight hours after installation of the modification, or after replacement of any control cable; whichever occurs latest. Or

(ii) Within 200 flight hours after the effective date of this AD.

(2) For airplanes on which Modification 5784 has not been installed: Replace at the later of the times specified in paragraphs (b)(2)(i) and (b)(2)(ii) of this AD. Thereafter, repeat the inspections required by paragraph (a) of this AD at the time specified in paragraph (a)(2); and replace the control cables and cable guides thereafter prior to the accumulation of 6,200 flight hours following replacement of any control cable.

(i) Prior to the accumulation of 6,200 total flight hours, or within 6,200 flight hours after replacement of any control cable, whichever occurs later. Or

(ii) Within 200 flight hours after the effective date of this AD.

Optional Terminating Action

(c) Accomplishment of the modification of the aileron control system in accordance with Saab Service Bulletin 2000-27-037, dated March 11, 1998, constitutes terminating action for the requirements of this AD.

Alternative Methods of Compliance

(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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(f) The actions shall be done in accordance with Saab Service Bulletin 2000-27-033, dated April 29, 1997; Saab Service Bulletin 2000-27-033, Revision 01, dated March 27, 1998; and Saab Service Bulletin 2000-27-037, dated March 11, 1998, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. Copies may be inspected 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.

Note 4: The subject of this AD is addressed in Swedish airworthiness directive SAD No. 1-111R1, dated March 30, 1998.

(g) This amendment becomes effective on September 7, 1999.

Issued in Renton, Washington, on July 26, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-19580 Filed 8-2-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 734, 738, 740, and 742

[Docket No. 990709187-9187-01]

RIN 0694-AB96

Revision of High Performance Computer Licensing Policy

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) by raising the performance parameters for those computers which can be exported and reexported under License Exception CTP. The upper threshold of the Composite Theoretical Performance (CTP) parameter for Computer Tier 2 countries is raised from 10,000 millions of theoretical operations per second (MTOPS) to 20,000 MTOPS. The upper threshold for Computer Tier 3 countries is raised from 7,000 MTOPS to 12,300 MTOPS for civilian end-users

and end-uses. For military end-users and end-uses in Computer Tier 3 destinations the CTP parameter remains at 2,000 MTOPS for the immediate future. The upper parameter for military end-users and end-uses to Computer Tier 3 countries will be raised from 2,000 MTOPS to 6,500 MTOPS on the same date the threshold for advance notification for high performance computers (HPC) exports to Tier 3 countries is raised from 2,000 MTOPS to 6,500 MTOPS. The threshold for advance notification for exports of HPCs to Tier 3 countries is raised to 6,500 MTOPS, effective approximately 180 days following the submission of a statutorily mandated report to Congress. The President sent this report to Congress on July 26, 1999. In addition, the following countries are moved from Computer Tier 2 to Computer Tier 1: Brazil, the Czech Republic, Hungary, and Poland.

DATES: This rule is effective August 3, 1999.

FOR FURTHER INFORMATION CONTACT:

James A. Lewis, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-4196.

SUPPLEMENTARY INFORMATION:

Background

On January 25, 1996, the Bureau of Export Administration created License Exception CTP for exports and reexports of HPCs. This policy took into account rapid technical advances in computing power, as well as national security and nonproliferation concerns. License Exception CTP divided the world into tiers based on U.S. national security and foreign policy interests. These tiers represent the level of proliferation and security risk a country poses to the U.S. and, as a result, the technical level of computer exports tier members can receive without applying for an export license. Computer Tier 1 consists of close U.S. allies; Computer Tier 2 includes countries representing minimal security concerns to the U.S.; countries representing a potential proliferation or security concern are listed in Computer Tier 3; and Computer Tier 4 consists of terrorist supporting states.

The President has decided to amend these country tiers by transferring Brazil, the Czech Republic, Hungary, and Poland from Tier 2 to Tier 1. The Administration will consider moving additional countries between Computer Tiers in the future.

The rapid evolution of computer technology has also made CTP parameter revisions necessary. This rule changes the upper threshold of the CTP