

with a particular Bank's financing and investment activities. In particular, the Finance Board would expect the candidate who meets the requirements of the proposed rule to demonstrate a strong understanding of the risks faced by the Banks in supplying financing to members in fulfillment of the Banks' housing finance mission. The Finance Board also expects to apply any rule flexibly, taking account of the expertise of a Bank's existing directors, the activities and risk profile of the particular Bank, the pool of available candidates and other similar factors in identifying a qualified appointed director so that the level of skills and experience that could qualify a person for an appointed directorship under the proposed criteria could vary somewhat from Bank to Bank.

Generally, the Finance Board believes that a potential appointed director could be considered to have the required skills if, based on work experience, publications or other relevant information, the Finance Board reasonably believed that an individual would have a strong understanding of the market, interest rate and other risks faced by a particular Bank. The Finance Board also believes that the proposed rule should not limit narrowly the professional pool from which a qualified appointed director could be chosen but that the pool of potential candidates should encompass a wide variety of professions including academia, the legal profession and government service. The Finance Board specifically requests comment on the criteria discussed above.

The Finance Board expects this new requirement to be mandatory and to apply to public interest director appointments for each of the 12 Banks for the terms beginning on January 1, 2004. The Finance Board requests comments on whether one such director at each Bank is sufficient, or whether the requirement should be expanded to two or more directors with the requisite expertise who would serve terms that are not co-terminus. In addition, the Finance Board is interested in receiving comments on whether the rule should specify other specific areas of expertise, in addition to the ones specified in this proposal, that should apply to the appointment of public interest directors.

The Finance Board also is proposing to delete from § 915.10(b) language that was needed to implement the "staggering" required by the GLB Act for replacement of a Bank's directors. See 65 FR 41560 (July 6, 2000). Because the language, by its terms, only applies to Finance Board appointments made in 2001 and 2002 and is, therefore, no

longer applicable, the Finance Board proposes to delete the second sentence of § 915.10(b). The Finance Board also proposes to delete Appendix A to part 915, which includes matrices relating to the directorships of the Banks that were created in conjunction with the earlier elections and appointments. As part of its annual designation of elective directorships in the past two years, the Finance Board has included updated versions of the matrices to reflect the revised board structure for each Bank for that year, and expects to continue to do so in the future. Because the matrices in Appendix A relate to prior years, and have been superseded by more current versions, it no longer is necessary to include them in the regulations.

### III. Regulatory Flexibility Act

The final rule would apply only to the Finance Board and the Banks, which do not come within the meaning of small entities as defined in the Regulatory Flexibility Act (RFA). See 5 U.S.C. 601(6). Therefore, in accordance with section 605(b) of the RFA, 5 U.S.C. 605(b), the Finance Board hereby certifies that this proposed rule, if promulgated as a final rule, will not have a significant economic effect on a substantial number of small entities.

### IV. Paperwork Reduction Act

The Finance Board does not propose to amend current forms that potential appointed directors must complete. Thus, the proposed rule does not contain any collections of information pursuant to the Paperwork Reduction Act of 1995. See 33 U.S.C. 3501 *et seq.* Accordingly, the Finance Board has not submitted any information to the Office of Management and Budget for review.

### Lists of Subjects in 12 CFR Part 915

Banks, Banking, Conflict of interests, Elections, Ethical conduct, Federal home loan banks, Financial Disclosure, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Finance Board proposes to amend title 12 CFR part 915 as follows:

### PART 915—BANK DIRECTOR ELIGIBILITY, APPOINTMENT AND ELECTIONS

1. The authority citation for part 915 continues to read as follows:

**Authority:** 12 U.S.C. 1422a(3), 1422b(a), 1426, 1427, 1432.

2. Revise § 915.10 by adding a new sentence to the end of paragraph (a) and by deleting the second sentence of paragraph (b) to read as follows:

### § 915.10 Selection of appointed directors.

(a) \* \* \* In making its selections, the Finance Board will provide that at least one appointed director serving on the board of directors of each Bank for the coming year, either appointed in past selections or appointed in current selections, has a background or experience that reasonably demonstrates that the director possesses a strong understanding of the risks, including the interest rate risk, market risk and options risk, arising from a Bank's activities.

\* \* \* \* \*

### Appendix A to Part 915—[Removed]

3. Appendix A to part 915 is removed.

Dated: March 12, 2003.

By the Board of Directors of the Federal Housing Finance Board.

**John T. Korsmo,**  
Chairman.

[FR Doc. 03-6595 Filed 3-18-03; 8:45 am]

BILLING CODE 6725-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-120-AD]

RIN 2120-AA64

### Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This document revises an earlier proposed airworthiness directive (AD), applicable to all EMBRAER Model EMB-120 series airplanes, that would have required replacing certain existing potentiometers with recently manufactured potentiometers, modifying the flexible couplers that attach the shafts of the potentiometers to the shafts of the primary flight controls, performing repetitive calibration tests of the potentiometers and obtaining repetitive readouts of the flight data recorder (FDR), and reporting the results to the FAA. This new action proposes initial and repetitive testing of the potentiometers to detect noisy signals and replacement of only those with noisy signals. The actions specified by this new proposed AD are intended to prevent the potentiometers that provide

information on the positions of the primary flight controls to the FDR from transmitting noisy signals or becoming improperly calibrated, resulting in the transmission of incomplete or inaccurate data to the FDR. This lack of reliable data could hamper discovery of the unsafe condition which caused an accident or an incident and prevent the FAA from developing and mandating actions to prevent additional incidents or accidents caused by that same unsafe condition.

**DATES:** Comments must be received by April 14, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-120-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 be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: [9-anm-nprmcomment@faa.gov](mailto:9-anm-nprmcomment@faa.gov). Comments sent via fax or the Internet must contain "Docket No. 2000-NM-120-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 the proposed rule 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.

**FOR FURTHER INFORMATION CONTACT:** Robert D. Breneman, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1263; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the

proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2000-NM-120-AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-120-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR 39) to add an airworthiness directive (AD), applicable to all EMBRAER Model EMB-120 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on April 27, 2001 (66 FR 21107). That NPRM would have required replacing certain existing manufactured potentiometers, modifying the flexible couplers that attach the shafts of the potentiometers to the shafts of the primary flight controls, performing repetitive calibration tests of the potentiometers and obtaining repetitive readouts of the flight data recorder (FDR), and reporting the results to the FAA. Those actions were intended to prevent the potentiometers that provide information on the positions of the primary flight controls

to the FDR from transmitting noisy signals or becoming improperly calibrated, resulting in the transmission of incomplete or inaccurate data to the FDR. This lack of reliable data could hamper discovery of the unsafe condition which caused an accident or an incident and prevent the FAA from developing and mandating actions to prevent additional incidents or accidents caused by that same unsafe condition.

**Comments**

Due consideration has been given to the comments received in response to the original NPRM.

**Request to Change Applicability**

One commenter requests that the applicability of the NPRM be changed from "all Model EMB-120 series airplanes" to "All Model EMB-120 series airplanes with a Flight Data Recorder installed or required by the Federal Aviation Regulations, certificated in any category." The commenter points out that some Model EMB-120 series airplanes have been converted from passenger operation to freighter operation and, therefore, are no longer required to operate with FDRs. The FAA agrees and has changed this AD so that it applies to "Model EMB-120 series airplanes which are required by 14 CFR 135 to operate with a flight data recorder (FDR), certificated in any category."

**Request To Change Requirement to Replace All In-service Potentiometers**

Three commenters request that the proposed replacement of all in-service potentiometers with potentiometers manufactured less than 12 months ago be changed. The commenters suggest instead that a download of the FDR testing data be performed to identify potentiometers with noisy signals and that only those potentiometers should be replaced.

The FAA agrees. EMBRAER has developed a procedure for determining whether or not a potentiometer has a noisy signal. That procedure has been incorporated into Section 31-30-00 of the EMBRAER Model EMB-120 Airplane Maintenance Manual (AMM), dated April 10, 2002. Accordingly, we have revised paragraphs (a), (b), and (c) of this supplemental NPRM to require testing of the potentiometers and replacement of those with noisy signals.

**Request To Change the Interval for Repetitive Calibration and Readout**

The same three commenters request that the interval for the repetitive testing of potentiometers be extended from 6

months to 12 months. The commenters state that the current EMBRAER EMB-120 Maintenance Review Board (MRB) requirements are for a yearly calibration and download test.

The FAA agrees. We find that the new procedure specified in the AMM will detect potentiometers with noisy signals and, thus, agree that the current MRB requirements for a yearly download are sufficient. We have changed the language of this proposed AD accordingly.

**Request To Delete Requirement for Modification of the Flexible Couplers**

One commenter requests that the FAA drop the proposed requirement to add locktite to the flexible coupler attachment screws to prevent loosening of the attachment screws. The commenter states that a screw which is properly installed and torqued should never come loose.

The FAA does not agree. We have had multiple reports of couplers coming loose and shifting the calibration; such a shift in calibration would not be discovered until the next readout of the

FDR. Accordingly, no such change has been made to this proposed AD.

**Request To Delete Reporting Requirement**

One commenter requests that the proposed requirement to report results of the calibration test and readout be deleted. The commenter states that the requirement is unnecessary and imposes a hardship on operators.

The FAA agrees in part. We have dropped the reporting requirement in this AD, because we find that EMBRAER's procedure for detecting potentiometers with noisy signals will detect them and, therefore, reporting the results to the FAA, as proposed in the NPRM, is not necessary. Therefore, we have deleted the reporting requirement.

**Request To Allow Use of Revised Issue of Service Bulletin**

One commenter asks that use of EMBRAER Service Bulletin 120-31-0038, Change 02, dated June 25, 1998, be allowed in addition to the original issue, dated February 22, 1997. The commenter indicates that there is no

difference in technical content between the original issue and Change 02 of the service bulletin. The FAA concurs and has revised the language of this proposed AD accordingly.

**Conclusion**

Since these changes expand the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

**Cost Impact**

The FAA estimates that 250 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours to perform the noise check of the potentiometers and obtain a readout of the FDR, that it would take approximately 1 work hour to apply adhesive to the flexible couplers, and that the average labor rate is \$60 per work hour. The cost impact of the proposed AD on U.S. operators for the initial or repetitive testing of an airplane is as shown on the following table:

TABLE.—ESTIMATED COST IMPACT OF AD

Action	Work hours/airplane	Cost/airplane	Cost for U.S. fleet
Adjust potentiometers, perform noise check of potentiometer, and obtain readout of FDR .....	3	\$180	\$45,000
Apply adhesive to flexible couplers .....	1	60	15,000
Totals .....	4	240	60,000

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 the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket at the location provided under the caption ADDRESSES.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, 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:

**Empresa Brasileira de Aeronautica S.A. (EMBRAER):** Docket 2000-NM-120-AD.

*Applicability:* Model EMB-120 series airplanes which are required by 14 CFR 135 to operate with a flight data recorder (FDR), 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 (e) 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 prevent the potentiometers that provide information on the positions of the primary flight controls to the FDR from transmitting noisy signals or becoming improperly calibrated, resulting in the transmission of incomplete or inaccurate data to the FDR, accomplish the following:

#### Initial Testing of Potentiometers

(a) Within 6 months after the effective date of this AD: Adjust the potentiometers to the ailerons, elevators, and rudder; perform a noise check of the potentiometers; and obtain a readout of the FDR, in accordance with Section 31-30-00 of the EMBRAER EMB-120 Airplane Maintenance Manual, dated April 10, 2002.

#### Repetitive Testing of Potentiometers

(b) Repeat the noise check of the potentiometers and obtain a readout of the FDR, as required by paragraph (a) of this AD, at intervals not to exceed 12 months.

#### Replacement of Potentiometers

(c) If any readout of the FDR, conducted in accordance with paragraphs (a) or (b) of this AD, indicates a potentiometer with a noisy signal: Within 20 days after obtaining the readout, replace the potentiometer in accordance with Section 31-30-05 of EMBRAER EMB-120 Airplane Maintenance Manual, dated July 17, 1998, with one that has a date of manufacture no greater than 12 months from the date of installation.

#### Modification of Flexible Coupler

(d) Prior to further flight, after the accomplishment of paragraph (a) of this AD: Apply locktite adhesive over the threads of the screws of the flexible couplers that attach the shafts of the potentiometers to the shafts of the primary flight controls, in accordance with EMBRAER Service Bulletin 120-31-0038, original issue, dated February 22, 1997; or Change 02, dated June 25, 1998.

#### Alternative Methods of Compliance

(e) 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, Transport Airplane Directorate, FAA. 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 2:** 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

(f) Special flight permits may be issued in accordance with §§ 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.

**Note 3:** The subject of this AD is addressed in Brazilian airworthiness directive 97-08-01, dated August 29, 1997.

Issued in Renton, Washington, on March 13, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03-6506 Filed 3-18-03; 8:45 am]

**BILLING CODE 4910-13-P**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-143321-02]

RIN 1545-BB60

#### Information Reporting Relating to Taxable Stock Transactions; Hearing

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations by cross-reference to temporary regulations relating to information reporting to taxable stock under section 6043(c) of the Internal Revenue Code.

**DATES:** The public hearing originally scheduled for Tuesday, March 25, 2003, at 10 a.m., is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Treena Garrett of the Regulations Unit, Associate Chief Counsel (Procedure and Administration) (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG-143321-02), was published originally in the **Federal Register** on Monday, November 18, 2002 (67 FR 69496). Subsequently, a notice changing the date of the hearing was published on Wednesday, November 27, 2002 (67 FR 70891). This notice announced that a public hearing on proposed regulations relating to information reporting to taxable stock transactions under sections 6043(c) and 6045 of the Internal Revenue Service Code would be held on Tuesday, March 25, 2003, beginning at 10 a.m. in room 4718 of the Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The public comment period for these proposed regulations expired on Tuesday, February 18, 2003. Outlines of oral comments were due on Tuesday, March 4, 2003.

The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Tuesday, March 11, 2003, no one has requested to speak. Therefore, the public hearing scheduled for Tuesday, March 25, 2003, is cancelled.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 03-6598 Filed 3-18-03; 8:45 am]

**BILLING CODE 4830-01-P**

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD07-02-141]

RIN 1625-AA09 (Formerly 2115-AE47)

#### Drawbridge Operation Regulations; Caloosahatchee River Bridge (SR 29), Okeechobee Waterway, LaBelle, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating regulations of the Caloosahatchee River bridge (SR 29), Okeechobee Waterway, mile 103, LaBelle, Florida. This proposed rule would require the bridge to open on signal, except during the morning and evening rush hours when the bridge need not open. Tugs with tows, public vessels of the United States, and vessels in distress would be passed at any time. This proposed rule is intended to improve the movement of vehicular traffic during rush hour periods while not unreasonably interfering with the needs of navigation.

**DATES:** Comments and related material must reach the Coast Guard on or before May 19, 2003.

**ADDRESSES:** You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 SE. 1st Avenue, Room 432, Miami, FL 33131. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD07-02-141) and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 SE. 1st Avenue, Miami, Florida 33131 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.