

until the terminating action required by paragraph (c) of this AD has been accomplished.

(ii) For any discrepant bushing: Prior to further flight, replace the discrepant bushing with a new bushing and, if applicable, replace the bushing marker with a new marker, in accordance with the service bulletin. No further action is required by this paragraph for that bushing only.

**Note 4:** It is not necessary to replace the marker if the marker installed on the airplane shows the correct bushing orientation (flange reversed, as shown in NEW CONFIGURATION, Figure 1, of Boeing Service Bulletin 747-57-2166, Revision 5, dated May 13, 1993; and Revision 6, dated January 16, 2003).

#### Terminating Action

(c) Within 5 years after the effective date of this AD: Replace the existing bushings of the clevis on the inboard and outboard sequence carriages, in flap tracks 3, 4, 5, and 6 of the inboard trailing edge foreflap. Do the actions in accordance with Boeing Service Bulletin 747-57-2166, Revision 4, dated December 6, 1990, or previous revision, is acceptable, provided the bushings are inspected as required by paragraph (b) of this AD and found to be in the correct orientation. The initial bushing installation by the manufacturer for airplanes having line numbers 317 and subsequent is also acceptable, provided the bushings are inspected at the specified time and as required by paragraph (b) of this AD and found to be in the correct orientation. Also, as applicable, before further flight, replace the markers installed on the airplane with new markers in accordance with Boeing Service Bulletin 747-57-2166, Revision 5, dated May 13, 1993; or Revision 6, dated January 16, 2003. Replacement of all bushings, and markers as applicable, terminates the requirements of this AD.

**Note 5:** It is not necessary to replace the marker if the marker installed on the airplane shows the correct bushing orientation (flange reversed, as shown in NEW CONFIGURATION, Figure 1, of Boeing Service Bulletin 747-57-2166, Revision 5, dated May 13, 1993; and Revision 6, dated January 16, 2003).

#### Part Installation

(d) As of the effective date of this AD, no person shall install on any airplane a carriage and toggle assembly unless the requirements of paragraph (c) of this AD have been accomplished for that assembly.

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, Seattle ACO, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Service Bulletin 747-57-2166,

Revision 5, dated May 13, 1993; or Boeing Service Bulletin 747-57-2166, Revision 6, dated January 16, 2003. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

#### Effective Date

(g) This amendment becomes effective on September 12, 2003.

Issued in Renton, Washington, on July 31, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03-19983 Filed 8-7-03; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 4

**RIN 3038-AB97**

#### Additional Registration and Other Regulatory Relief for Commodity Pool Operators and Commodity Trading Advisors; Past Performance Issues

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rules.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is amending rules which provide an exclusion from the definition of the term "commodity pool operator" (CPO) for certain persons, and which provide exemption from CPO and commodity trading advisor (CTA) registration, respectively, for certain other persons, so as to expand the availability of the relief provided by these rules. These amendments supercede the no-action relief the Commission previously issued with respect to the trading criteria for certain persons and the need to register as a CPO or CTA for certain other persons. The Commission also is amending its rules to facilitate communications by CPOs and CTAs, by permitting certain communications prior to Disclosure Document delivery; relieving CPOs from duplicative disclosure and reporting requirements in the "master/feeder fund" context; permitting CPOs to distribute Account Statements and Annual Reports electronically; permitting CPOs to use facsimile signatures on Account

Statements and Annual Reports; and conforming various signature requirements. Further, the Commission is addressing certain issues related to the calculation and presentation of past performance by CPOs and CTAs not addressed in the recent final rulemaking on CPO and CTA past performance.

**DATES:** Effective August 8, 2003 except § 4.35(a)(1)(viii) which is effective September 8, 2003.

**FOR FURTHER INFORMATION CONTACT:** For all rules other than Rule 4.35(a), Barbara S. Gold, Associate Director, or Christopher W. Cummings, Special Counsel, and for Rule 4.35(a), Kevin P. Walek, Assistant Director, or Eileen Chotiner, Futures Trading Specialist, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, telephone numbers: (202) 418-5450, (202) 418-5445, (202) 418-5463, or (202) 418-5467, respectively; facsimile number: (202) 418-5528; and electronic mail: [bgold@cftc.gov](mailto:bgold@cftc.gov), [ccummings@cftc.gov](mailto:ccummings@cftc.gov), [kwalek@cftc.gov](mailto:kwalek@cftc.gov) or [echotiner@cftc.gov](mailto:echotiner@cftc.gov), respectively.

#### SUPPLEMENTARY INFORMATION:

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