

Parts Installation

(f) As of the effective date of this AD, no person may install a lower panel assembly, P/N CC670-10520, on the left- or right-hand MLG door on any airplane, unless the lower panel assembly has been inspected as required by paragraph (b) of this AD and found to be free of cracking or deformation, or pulled or missing fasteners.

Alternative Methods of Compliance

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

Note 2: The subject of this AD is addressed in Canadian airworthiness directive CF-2003-23R1, dated September 16, 2003.

Effective Date

(h) This amendment becomes effective on November 3, 2003, to all persons except those persons to whom it was made immediately effective by emergency AD 2003-19-51, issued September 17, 2003, which contained the requirements of this amendment.

Issued in Renton, Washington, on October 23, 2003.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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BILLING CODE 4910-13-P

RAILROAD RETIREMENT BOARD**20 CFR Part 200****RIN 3220-AB47****Freedom of Information Act Requests**

AGENCY: Railroad Retirement Board.

ACTION: Direct final rule.

SUMMARY: The Railroad Retirement Board (Board) hereby amends its regulations to provide that all requests under the Freedom of Information Act be made to the General Counsel. In addition, the regulation is updated to account for changes in the Freedom of Information Act enacted in the Electronic Freedom of Information Act Amendments of 1996.

DATES: This rule shall be effective on January 27, 2004, without further action, unless adverse comment is received by November 28, 2003. If adverse comment is received, the Railroad Retirement Board will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General

Counsel, (312) 751-4945, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: The Board has directed that the General Counsel shall respond to all requests under the Freedom of Information Act. In addition, the regulation is updated to account for changes in the Freedom of Information Act enacted in the Electronic Freedom of Information Act Amendments of 1996, Public Law 104-231. Nomenclature changes and updates for amendments to the Freedom of Information Act make no substantive changes in the Board's handling of requests under the Freedom of Information Act.

In § 200.4(d), the names of the various offices where various publications are made available have been amended for name changes within the agency. In § 200.4(h), the official designated to receive a Freedom of Information Act request has been amended to the General Counsel. In addition, the Board will accept such requests by e-mail. Section 200.4(i) has been amended to state that the General Counsel or his or her designee shall respond to all Freedom of Information Act requests. In addition, this section is amended to conform to the time limit, 20 work days, set forth in the Electronic Freedom of Information Act Amendments of 1996, Public Law 104-231. Sections 200.4(j), (k), (l), and (n)(2) are amended to change the official responsible for action to the General Counsel. Section 200.4(m) is amended to state that the annual Freedom of Information Act report shall be made to the Attorney General no later than February 1, as required by the Electronic Freedom of Information Act Amendments of 1996, Public Law 104-231.

Collection of Information Requirements

Pursuant to the Paperwork Reduction Act of 1995, the information collection that was associated with section 200.4(n) of this rule, concerning special procedures for handling requests for business information, had been approved by the Office of Management and Budget under control number 3220-0150. The currently-published version of § 200.4 states that: "(The information collection requirements for paragraph (n) were approved by the Office of Management and Budget under control number 3220-0150)". We are now informed that OMB control number 3220-0150 is not an active number, and that the Board's historical files that might have explained the background for that number have been destroyed. Also, the information collection is not an information collection that requires

OMB approval because it is not the same question, seeking the same information, from at least 10 people. Rather, paragraph (n) asks a provider of business information if any of that information should be withheld in response to a FOIA request for the business information. In light of this background, the sentence that referenced an OMB clearance number which no longer exists, is removed.

Regulatory Impact Statement

Prior to publication of this direct final rule, the Board submitted the rule to the Office of Management and Budget for review pursuant to Executive Order 12866. Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for rules that constitute significant regulatory action, including rules that have an economic effect of \$100 million or more annually. This direct final rule is not a major rule in terms of the aggregate costs involved. Specifically, we have determined that this direct final rule is not a major rule with economically significant effects because it would not result in increases in total expenditures of \$100 million or more per year.

The amendments made by this direct final rule are not significant. The amendments provide that requests for information under the Freedom of Information Act should be directed to the Board's General Counsel. The revisions also update the agency's regulations to account for changes in the Freedom of Information Act enacted in the Electronic Freedom of Information Act Amendments of 1996.

Both the Regulatory Flexibility Act and the Unfunded Mandates Act of 1995 define "agency" by referencing the definition of "agency" contained in 5 U.S.C. 551(l). Section 551(l)(E) excludes from the term "agency" an agency that is composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them. The Railroad Retirement Board falls within this exclusion (45 U.S.C. 231f(a)) and is therefore exempt from the Regulatory Flexibility Act and the Unfunded Mandates Act.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a rule that imposes substantial direct